

WALTER RODNEY COMMISSION OF INQUIRY



CO-OPERATIVE REPUBLIC OF GUYANA

THE WALTER RODNEY COMMISSION OF INQUIRY

**VERBATIM REPORT
OF THE PROCEEDINGS**

Thursday 26th June, 2014

WALTER RODNEY COMMISSION OF INQUIRY

WALTER RODNEY COMMISSION OF INQUIRY

17th Hearing

09:44hrs

26th 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

Mr. James Bond

WALTER RODNEY COMMISSION OF INQUIRY

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, Q.C.

Attorney for Donald Rodney:

Mr. Keith Scotland

Attorney for the Ex-GDF (Guyana Defence Force) Association: Lt. Col. (Ret'd) Joseph Harmon

Attorney for Captain Gerald Gouveia: Mr. Devindra Kissoon

Witness: Captain Gerald Gouveia

WALTER RODNEY COMMISSION OF INQUIRY

Officers:

Ms. Pamela Binda	-	Editor
Mr. Kristoffer Sundar	-	Assistant Editor
Ms. Shanta Kumar	-	Transcriptionist
Ms. Tricia Peters	-	Transcriptionist
Ms. Karen Mohamed	-	Transcriptionist
Ms. Diane Gobin	-	Transcriptionist
Mr. Sahadeo Ramdular	-	Transcriptionist
Mr. Vickram Ragobeer	-	Audio Technician
Mr. Mahendranauth Sanichar	-	Audio Technician
Mr. Rui Constantine	-	Audio Technician

WALTER RODNEY COMMISSION OF INQUIRY

CALL TO ORDER

Chairman [Sir. Richard L. Cheltenham K.A., Q.C., Ph.D]: Yes, Commission Counsel, you could tell where we are.

Commission Counsel [Mr. Glenn Hanoman]: Good Morning, Mr. Chairman. Before we start today's proceedings, I wish to acknowledge the presence of Mr. Devindra Kissoon. He has indicated already that he intends to apply for Standing this morning.

Mr. Chairman: His first name is?

Attorney for Captain Gerald Gouveia [Mr. Devindra Kissoon]: May it please the Commission, D-E-V-I-N-D-R-A Kissoon.

Mr. Chairman: Do you pronounce that as 'Devinder'?

Mr. Kissoon: Devindra. It means "Lord of Lords". Commissioners, respectfully, we had put a written application a few weeks ago to request permission to act for Captain Gerald Gouveia to lead his testimony and we examine him as necessary, and we would request that the Commission grant me Standing to appear on his behalf.

Mr. Chairman: Yes, we do have your letter of the 27th May seeking standing and we are happy to grant you that Standing and look forward to your leading in the evidence of Gerald Gouveia.

Mr. Kissoon: Thank you, Commissioner.

Mr. Chairman: Are you ready to proceed?

Mr. Kissoon: Yes, Commissioner. There is one small house cleaning matter, Captain Gouveia has asked if it is necessary to continue this afternoon, if we could complete proceedings today at 14.00hrs. I am not sure if the Commission goes that far in time, but if it does we, respectfully, request that the Commission consider that request.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: I take it that he has a good and compelling reason for that. We have been often going to 15.00hrs and beyond, but if there are good and compelling reasons we would wish to accommodate him for sure.

Mr. Kissoon: Just to expand on that, Commissioner. We would be most grateful, the reason is professional. Captain Gouveia is associated with an airline and its inaugural flight to Guyana is landing today at 16.00hrs and he requested if it is possible for him to be at *Timehri* and he requires that time between 14.00hrs and 16.00hrs to get there.

Mr. Chairman: Okay, well I am glad that you provide us with a basis. I was thinking that he might want to go to an early afternoon party. That would be no go and substantial reason, but I think you have made the case.

Mr. Kissoon: Thank you, Commissioner.

Mr. Chairman: Could he be invited now to the witness stand?

Mr. Kissoon: Certainly Commissioner.

[Mr. Gerald Gouveia entered the witness box]

[Secretary of the Commission administered the oath to Mr. Gerald Gouveia]

Mr. Chairman: Captain Gouveia, you are free to sit or stand as you please. Make yourself comfortable and speak clearly so that we can all hear you and you are free to consult your statement, except that I note that there seem to be an earlier statement and a later statement. What is the position, Counsel?

Mr. Kissoon: Commissioner, there is one statement that is executed and will serve the purpose as being admitted in evidence-in-chief today, and we would request the Commission's permission to then expand on that statement, orally. There were previous version of the statement that was given to the Commission earlier, but those are not part of these proceedings. The most recent statement is dated 15th June, 2014. It consists of 12 pages and has an exhibit at the back of approximately 20 pages.

WALTER RODNEY COMMISSION OF INQUIRY

Commissioner [Seenath Jairam S.C] Mr. Kissoon, I notice that your last paragraph, 69, some words are cut out from there “and further I see it...” ‘N-O-T-I’...

Mr. Kissoon: Commissioner, forgive me I am not certain of the copies that you have, but certain I have a clear copy that I can provide to the Commission.

Mr. Jairam: Well the one that we had before contains the same error and we were just provided with a further copy this morning and it contains the same...

Commissioner [Mrs. Jacqueline Samuels-Brown, Q.C.]: Paragraph what?

Mr. Jairam: Paragraph 69.

Mr. Kissoon: Just to clarify, that paragraph 69 is supposed to read “...and further I sayeth not...”.

Mr. Jairam: “...sayeth not...”

Mr. Kissoon: Yes, N-O-T.

Mr. Chairman: But to the extent that June statement has just been put before us, the one I had read was one dated the 29th May, 2014. I do not know if they consist of contradictions.

Mr. Kissoon: No, Commissioner.

Mr. Chairman: Well I am happy to know that because we might have been obliged to him the inconsistency.

Mr. Kissoon: Commissioner, nothing has been changed. The statement has simply been expanded, but just for the purposes of directed the statement dated 15th June, 2014, is the sole statement to be considered by the Commission for the purpose of today’s proceedings.

Mr. Chairman: Thank you and please proceed.

Mr. Kissoon: Thank you, Commissioner. Captain Gouveia, do you recognise the statement that is before you?

Captain Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: Can you state whose signature is on page 12 of the statement?

Captain Gouveia: My signature.

Mr. Jairam: I think, Mr. Kissoon, you need to perhaps for the record state his full name and address and so on so that... because it has been recorded as well.

Mr. Kissoon: Very good, Commissioner. Just for the purposes of the clarification, I had envisaged entering this statement as his evidence-in-chief and then adducing its contents and amplifying them orally. Would that procedure be agreeable to the Commission?

Mr. Chairman: I do not think that has been different from what we have been doing previously. I think that is consistent with the practice here.

Mr. Kissoon: Certainly. Please state your full name?

Captain Gouveia: My name is Gerald Richard Gouveia.

Mr. Kissoon: Do you recognise the statement that is before you?

Captain Gouveia: Yes, I do.

Mr. Kissoon: Can you state whose signature is on the signature line on that statement?

Captain Gouveia: My signature.

Mr. Kissoon: Commissioner, I respectfully move to have this Witness statement tendered as Captain Gouveia's evidence-in-chief in this matter.

Mr. Chairman: And the tag that we are going to put on it, Secretariat...?

Secretary to the Commission [Ms. Nicola Pierre] GG 1.

Mr. Chairman: We are happy to receive it and so tagged it as GG 1.

Mr. Kissoon: Captain Gouveia, what is your current occupation?

Captain Gouveia: I am a Pilot and a Businessman.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: Where do you work?

Captain Gouveia: At Roraima Airways.

Mr. Kissoon: What does the Roraima Airways do?

Captain Gouveia: We are a travel and tourism company.

Mr. Kissoon: For how long you have been a pilot?

Captain Gouveia: From 1977, my mathematics... I will have to do the mathematics for you, Sir.

Mr. Kissoon: Captain, if you are more comfortable sitting...

Captain Gouveia: No, that is alright.

Mr. Chairman: I think you are perhaps a little too close to the microphone now.

Mr. Kissoon: Do you hold any professional qualifications?

Captain Gouveia: Yes.

Mr. Kissoon: Can you state what they are?

Captain Gouveia: I am an airline transport rated pilot and I am an examiner for the Civil Aviation Department.

Mr. Kissoon: Do you hold any professional licenses?

Captain Gouveia: Same license, it is an Airline Rated Transport License.

Mr. Kissoon: Can you state whether you currently sit on any public bodies?

Captain Gouveia: Yes, well I sit as a board member of many commissions both in the private and in the public sector, as representing the private sector in the public bodies.

Mr. Kissoon: Can you state whether or not you hold any Government or diplomatic post?

Captain Gouveia: I do not hold any Government post but I am the Honorary Counsel of the Government of Barbados to Guyana so I represent Barbados' interest in Guyana.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: Can you state whether or not you have ever been bestowed any national awards?

Captain Gouveia: Yes, I was honoured to have received the Golden Arrow Head of Achievement.

Mr. Kissoon: What is your date of birth?

Captain Gouveia: 29th November, 1955.

Mr. Kissoon: Where did you grow up?

Captain Gouveia: In Lodge Housing Scheme in Georgetown.

Mr. Kissoon: Can you state whether or not you attended primary and secondary schools?

Captain Gouveia: Yes, I attended St. Mary's Roman Catholic School and then I attended the Indian Education Thrust College in Woolford Avenue.

Mr. Kissoon: What year did you matriculate from your secondary school?

Captain Gouveia: Sorry, I did not hear that question.

Mr. Kissoon: What year did you complete high school?

Captain Gouveia: In 1974, I believe it was.

Mr. Kissoon: After completing high school what did you then do?

Captain Gouveia: I voluntarily joined the National Service.

Mr. Kissoon: What year was that?

09.59hrs

Captain Gouveia: The end of 1974-1975, somewhere around then.

Mr. Kissoon: Why did you join the National Service?

Captain Gouveia: Am...

Mr. Jairam: Do we need to get all of that?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: I wondered.

Mr. Jairam: We are beyond that.

Mr. Kissoon: I am guided Commissioner. We will proceed.

Captain Gouveia: I did join it because I wanted to learn more about Guyana. I wanted to expand my horizons, and National Service provided that opportunity in spectacular ways.

Mr. Kissoon: How old were you when you joined the National Service?

Captain Gouveia: I would have to do the mathematics, I would believe maybe 20 years old, if I...

Mr. Kissoon: Very good and after completing the National Service, what did you then do?

Captain Gouveia: I never really completed the National Service because being in the National Service was one aspect of my service, and for the rest of my life, I continued to do national service to Guyana, but I got a Government scholarship and I went on to the University of Embry-Riddle Aeronautical University in Daytona Beach, Florida.

Mr. Kissoon: I did not hear the last bit. In what program did you say?

Captain Gouveia: I won a Government of Guyana scholarship and I attended the Embry-Riddle Aeronautical University in Daytona Beach, Florida.

Mr. Kissoon: What did you study there?

Captain Gouveia: Flight Aviation Technology.

Mr. Kissoon: Can you state whether or not you completed that program?

Captain Gouveia: Yes, I did.

Mr. Kissoon: In what year did you complete that program?

Captain Gouveia: In 1977.

Mr. Kissoon: How old were you at the time?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Respectfully, Counsel, I would probably need a calculator, but I was probably 21, maybe 22 years old.

Mr. Kissoon: Can you give us the conditions, if any, upon which you were awarded the scholarship to study at Embry-Riddle?

Captain Gouveia: I think the Government of the day was training a lot of young Guyanese in different disciplines and they had offered a scholarship around the Public Service, the Guyana Defence Force (GDF), the Guyana National Service and I was a candidate from about maybe 100 young people from the National Service that were put up to a national pool of people where 12 were chosen, and I was one of the 12.

Mr. Kissoon: Upon completing your studies at University, what did you then do?

Captain Gouveia: As part of the condition of that scholarship, I was contracted to serve for five years as an officer in the Guyana Defence Force.

Mr. Kissoon: Did you do so?

Captain Gouveia: Yes.

Mr. Kissoon: What year did you first join the Guyana Defence Force?

Captain Gouveia: In 1977. When my studies were completed in the United States of America (USA), I came back and was immediately enrolled in the Guyana Defence Force.

Mr. Kissoon: In what capacity did you join?

Captain Gouveia: As a Cadet Officer and a Trainee Pilot.

Mr. Kissoon: For how long did you stay with the Guyana Defence Force?

Captain Gouveia: 12 years.

Mr. Kissoon: Can you describe the circumstance of your departure from the Guyana Defence Force?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: In 1988, I had resigned and continued in the reserve of the Guyana Defence Force, but I resigned voluntarily.

Mr. Kissoon: Can you, in general terms, describe your duties whilst you were in the Guyana Defence Force from 1977 through to your departure?

Captain Gouveia: When I joined the Guyana Defence Force I was enrolled in the Cadet Officer's Program and after that program, I then began my flight training in the Army Air Corps and I then served all my time in the Guyana Defence Force as an Army Pilot, flying all kinds of missions, medical evacuations, search and rescue, maritime patrols and general logistic support to the Ground Forces of the Guyana Defence Force.

Mr. Kissoon: In 1980, could you state whether or not your duties were different from those just described?

Captain Gouveia: No.

Mr. Kissoon: Specifically in June 1980, who was your Commanding Officer, if any?

Captain Gouveia: The Commanding Officer of the Army Air Corps at the time was Lieutenant Colonel Godwin McPherson.

Mr. Kissoon: Can you describe, in brief terms, the structure of the Army as you understood it to be?

Captain Gouveia: As I understood it to be then, and you will forgive me because as you recognise that I was 22 years old, very junior, but from my own perspective, we had the Army Air Corps, you had the Maritime Corps, you had the Ground Forces. Each one of these divisions of the Army had a Commanding Officer and I was in the army Air Corps and then the Air Corps itself was divided into the Fixed Wing Division with an officer commanding that Division and a

WALTER RODNEY COMMISSION OF INQUIRY

Rotor Wing division for helicopters with an officer commanding that Division as well and then overall, you had a Commanding Officer.

Mr. Kissoon: In which Division were you assigned?

Captain Gouveia: The Fixed Wing Division of the Army Air Corps.

Mr. Kissoon: Do you recall who the officers were that was responsible for the Fixed Wing Division and the Rotor Wing Division?

Captain Gouveia: I do not remember who it was for the Rotor Wing Division, but I believe, and my memory may be clouded, it was at the time Captain David Baker. Captain David Baker, when I got there, was the Chief Pilot. He was the man who trained me and accredited my first command in Guyana and his name is Captain David Baker.

Mr. Kissoon: Just to be clear, who would have been your Officer in June 1980?

Captain Gouveia: I would have to assume it was Captain Baker, but it was long ago.

Mr. Kissoon: Specifically, can you describe for us what your routine daily activities consisted of in June 1980?

Captain Gouveia: As an Army Officer and as a Pilot, it was extremely consistent every day. As an Army Officer you were required to report every day to the Drill Square in the mornings for flag raising and then physical exercise. Then, after you would have had breakfast with your fellow officers, we will report to the Air Corps Hanger and even if we did not have to fly, our place was to be in the hanger, and then we will be carrying out administrative duties. We would also be assigned to work alongside the maintenance personnel who were working on the aircraft, or we would be working in the operations room of the Army Air Corps monitoring other flights and so on.

Mr. Kissoon: Where were you stationed in June 1980?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: At Camp Stephenson at Timehri International Airport.

Mr. Kissoon: Where did you reside in June 1980?

Captain Gouveia: In 1980?

Mr. Kissoon: In June 1980?

Captain Gouveia: In the place that I grew up, in Lodge Housing Scheme.

Mr. Kissoon: When on duty, where did you spend your time when not at work?

Captain Gouveia: When I was not at work... We worked six days a week and we had one day off, but even on those days off, you would still be at the Army base because we were basically required to be there continuously, and then there were times when you would be given time to go home which could be one day or two days a month sometimes, but you spent generally all of your time at Camp Stephenson at Timehri.

Mr. Kissoon: When on duty in June 1980, can you state how many days, if not all or none, that you flew?

Captain Gouveia: From my memory, that would be difficult to tell you, but a Pilot is required to log accurately every flight that he undertakes and my log book, which you have in front of you, is required by Law for me to record every single flight – every airport that I depart from, what time I took off, what time I landed, the aircraft registration – so that log book will tell you, in 1980, every day, every minute of the day, where I was.

Mr. Kissoon: Did you in fact complete that log book accurately?

Captain Gouveia: Yes. The reasons I did it, first of all, was that it is a professional obligation, second of all, it was a legal requirement by the Civil Aviation Department because every six months that log book had to be lodged with the Civil Aviation Department because every six months, a Pilot had to go through a complete recurrent check. You will go up with another Pilot,

WALTER RODNEY COMMISSION OF INQUIRY

he will put you through all the emergency systems, the engine failures and the fires and so on and then you would do a complete medical examination, and then those documents would be submitted to the Civil Aviation Department, at which time, they would evaluate the medical, evaluate your flight check that you were successful and evaluate your log book because you had to fly a particular number of hours every month to stay current, so the Civil Aviation would have done the due diligence in your log book. They would stamp it every six months and then hand it back to you. That was a requirement by Law.

Mr. Kissoon: When would you complete the records contained in the log book?

Captain Gouveia: Immediately after every flight.

Mr. Kissoon: Can you describe for us what sort of records was recorded in the log book?

Captain Gouveia: I will just repeat what I said. You record the date of the flight, you record the aircraft registration, you record the aircraft type, the type of the aircraft, you would record who was the Pilot in command, what was your... if you were a Co-Pilot, it would state what your status on that flight was, whether you were a Co-Pilot, whether you were the Captain and it will state the time when the engines were started. In fact, it is very detailed so you have what is called “out time” and “off time”, and “on time” and “in time”, so from the time you start the engine of the aircraft, you would record that time; from the time that aircraft taxied to the end of the runway and when you takeoff, you record that time. When you land you record that time. When the aircraft parked and you shut the engines down, you record that time. So there are what we call “flight times” and “ramp times” and normally, it is two or three minutes apart from each other.

Mr. Kissoon: I would like to show you a copy of his book. Marshall?

Mr. Jairam: Is it a copy or the original?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: This is the original.

Mr. Kissoon: I am sorry an original, a book.

[Court Marshall showed the book each of the Counsel and Commissioners]

10.14hrs

Mr. Chairman: Yes, we were just having a close at look the original, the log book and the entry made there. I think now that we have completed that exercise, would you take it back to Mr. Kissoon?

Captain Gouveia: You want me to hand it to him?

Mr. Kissoon: Captain Gouveia could you state what documents are in your possession?

Captain Gouveia: This is my personal log.

Mr. Kissoon: Can you state whether or not that is the original book?

Captain Gouveia: This is the original book.

Mr. Kissoon: Could you state whether or not the records have been changed in anyway?

Captain Gouveia: No, other than their *[inaudible]* log book, there were times when there would be scratches in terms of when you make a mistake in writing so you make a correction. There are no fundamental changes to the log book.

Mr. Kissoon: Physically, for the entries made during the year of 1980, can you state whether or not those entries were contemporaneously made...

Captain Gouveia: Yes.

Mr. Kissoon: At the time of the flight as was previously ...

Captain Gouveia: Yes, these and I believe I should also confirm with you that as these records are made, every aircraft carries a log book as well and every log book is also meant to be filled up by the Pilot, and so exactly the same way that your personal log book is filled, so that information is used to control and monitor the maintenance of the aircraft because of the very

WALTER RODNEY COMMISSION OF INQUIRY

scientific detail which aircraft maintenance is done. Every minute that the aircraft flies contributes towards the maintenance programme of the aircraft so that the aircraft log book will have exactly the same information in here in that log book, on one hand. On the other hand, information is also accurate and it should match the records that are kept by the Control Tower. So every time an aircraft moves on its own power in a controlled airport, that is an airport with a controlled tower, you have to call the tower to get permission to move the aircraft and if you are taxiing, the tower would record that information. Actually, this information that is recorded here is information that is given to you from the Control Tower so that you can monitor it yourself, but the official time is one given to you by the Control Tower so that when you take off, the Control Tower would report you, you would be able airborne at 19:00 and the Pilot would be able to take that time and do its estimates along the way. So the Control Tower would accurately have all of the information that is reflected in this log book.

Mr. Kissoon: Do you know the where...

Mr. Chairman: Before you go any further, do I understand the Witness to be saying that there was an aircraft log book and a personal log book?

Captain Gouveia: Yes, every aircraft...

Mr. Chairman: Okay, you have answered yes.

Captain Gouveia: Yes, Sir.

Mr. Chairman: What is it that is being circulated, is that the aircraft log book or the personal log book?

Mr. Kissoon: Mr. Chairman that is the Captain's personal log book.

Mr. Chairman: That is the personal?

Mr. Kissoon: Yes, Mr. Chairman.

Mr. Chairman: What about the aircraft log book?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: I was just about to ask him about the aircraft log book and the Tower records. Captain Gouveia, do you know of the whereabouts of the aircraft log book for the year June, 1980?

Captain Gouveia: Specifically, no and I really do not, on any kind of basis, know where the records of the aircraft is kept or would I know where the Control Tower records are kept, but this is my personal responsibility. I just want to correlate this with the Control Tower and the aircraft log book to say that that was how information was gathered as well, but I would not have any idea where the aircraft log book is kept and where the Control Tower records would be kept other than with those agencies, I imagine.

Captain Gouveia: Commissioners, just to edify...

Mr. Chairman: I wanted to know though whether the categories under which information is entered in the aircraft log book, is the same as the personal log book.

Captain Gouveia: It is entered Sir, the aircraft log book is filled up after every flight.

Mr. Chairman: Yes, I hear that. I want to know if the information will be the same, whether the categories under which you entered the information whether the categories are the same in both your personal log book and the aircraft log book.

Captain Gouveia: Just the departure point, your arrival point and the timings would be exactly the same, but the aircraft log book would have other things inside, but in your persona log book, there are things that are correlated to the Pilot. In the aircraft log book, you have exactly the same times that would show the departure point and the destination and the times of departure and arrival, but it would not, for example, show you, tell me who was the Co-Pilot, in fact, it does Sir, sorry, it really does.

Mr. Kissoon: Mr. Chairman if I may assist, Captain Gouveia, do you know what the aircraft log book records are for the year of June, 1980?

Captain Gouveia: What it is or where it is?

Mr. Kissoon: What they are, what...

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Yes, I do.

Mr. Kissoon: Did you see those records at any point in time?

Captain Gouveia: Well, I had to see it because I had to fill it out.

Mr. Kissoon: You filled the entirety of the aircraft log book records?

Captain Gouveia: Every time a Pilot flies an aircraft on that day, he would fill the aircraft log book with the activities that he is being involved in of the log book in his handwriting, so if we were supposed to find the aircraft for that day or that time, it would have my handwriting at the side with exactly the duplicate of this information.

Mr. Kissoon: For the Tower Control records...

Mrs. Samuels-Brown: I am sorry, before you move on, the Chairman was trying to find out exactly what would be in this aircraft's log book and the Witness commenced, but I am not sure he finished. Could he rehearse it for me even if he did?

Mr. Kissoon: I am sorry.

Captain Gouveia: Certainly. The aircraft log book would have the aircraft registration.

Mr. Chairman: Let me interrupt...

Captain Gouveia: Yes, Sir.

Mr. Chairman: ... because I want you to focus on what we regard as essential.

Captain Gouveia: Okay.

Mr. Chairman: What you have circulated here we have before us says nothing about the passengers.

Captain Gouveia: Right.

Mr. Chairman: It said nothing about the nature of the mission. You do not just play about. You play about for a particular purpose.

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Correct.

Mr. Chairman: That record said nothing about the purpose of the mission; it said nothing about the passenger or passengers that you carried.

Captain Gouveia: Correct.

Mr. Chairman: I want to know if any of the records specifically would have information about those two facts.

Captain Gouveia: Right, no Sir. The aircraft log book would have nothing to do with the mission or the purpose of the mission, neither would my personal log book, but there are other documents that will particularly deal with those issues.

Mr. Chairman: Okay, what are those documents and where they are? One question at a time you answer.

Captain Gouveia: Right. In terms of the documents that would tell you who the passengers are, is called a passenger's manifest.

Mr. Chairman: Yes.

Captain Gouveia: That passenger's manifest is filled up by the operations support staff and it would be given to the Pilot for the duration of the flight. At the end of the flight, those documents are then retrieved by the operations department then they would be filed. The Pilots do not keep that information.

Mr. Chairman: Where would that aircraft manifest be in relation to that flight that you took on the 14th, a flight that you made on the 14th to Kwakwani?

Captain Gouveia: Any aircraft manifest on any day that I fly, would be in the possession of the Guyana Defence Force at that time. We are talking about 34 years ago and I would still imagine that maybe in the archives, they would be there. I do not think that they are required, if I am permitted to say, even today our records are only required to be kept for six months after that because you keep doing these things every day, so unless there is a reason to keep these records after six months, there is no requirement to do that by the Civil Aviation Department.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: What you do you do? Do you burn them or you put them in the archives? What do you do?

Captain Gouveia: I would not know that Sir, I was a Pilot; I did not deal behind the scenes with what they did with those documents.

Mrs. Samuels-Brown: But, just to clarify, when you are say “even today”, you are referring to your obligations as a civilian, not in relation to what the Army practice or requirements are because today you are no longer in the Army.

Captain Gouveia: While I was in the Army, my Pilot license and the operations that we operated in the Army, it always resembled civil operations.

Mrs. Samuels-Brown: I am talking about the record-keeping that the Army would have and you would not be able to speak to that today?

Captain Gouveia: No.

Mrs. Samuels-Brown: Okay, thank you.

Mr. Jairam: May I ask you Captain Gouveia...

Captain Gouveia: Yes.

Mr. Jairam: In your long years as a Pilot, have you ever had cause to go back to the passengers’ manifest beyond the six months. I want to know what the practice is. I know you said to us that the Civil Aviation requirements is that you are only required to keep it for six months. Would you say, generally, that there are records that are kept for longer periods as the Chairman said, kept in the archives or something?

Captain Gouveia: I do not recall myself having ever to go back to look at passengers’ manifest in any length of time other than, maybe, if we are doing an accident investigation and there may be reasons to do that to check weight and balance and so on, but I have never had reason to go back and look at aircraft manifests in any extended length of time in the past.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: Counsel you proceed, but make sure you zero-in on what is of interest and relevance to the Inquiry.

Mr. Kissoon: Certainly, Mr. Chairman.

Mrs. Samuels-Brown: Before Counsel proceeds, the Chairman had asked what documents or records would have information as to the passengers who flew and the destination and he identified one thing, the passengers' manifest. I do not know if he was going to identify other records or that is the only one he was thinking of?

Captain Gouveia: Maybe I can describe, what would happen Madam Commissioner, is the Pilot's task was to execute the mission as dictated to him by his superiors. The Pilot would report to the operations center, they would say to you that you have four flights to do today and these are the destinations you are going to and these are the times, and that either we are flying Soldiers today or you are flying fuel, or you are flying civilians who are guests of the Government or guests of Chief-of-Staff, or the Commander of the Force, or whatever, so they would be the ones who would prepare the documents which will also show the weight and balance of the aircraft, show the weight that you are, the Pilot...

Mrs. Samuels-Brown: I am sorry to interrupt. I think what the Chairman wanted to hear was whether there were other documents that would record the destination purpose and or passenger. Are you saying that the operations department would have such records?

Captain Gouveia: Yes.

Mr. Kissoon: Captain Gouveia just to continue, you were describing the method of which instructions were given to a Pilot or to yourself if you could continue, you ended stating that the Operations Personnel would prepare...

Captain Gouveia: Yes.

Mr. Kissoon: What would they prepare?

Captain Gouveia: They would prepare manifest. They would prepare the flight plan. The flight plan would tell not only the Pilot, but it will also tell the Control Tower what is the projected

WALTER RODNEY COMMISSION OF INQUIRY

mission for this aircraft so the Control Tower will now then file that into their system and expect that flight on that particular route, so the operations staff would prepare the flight plan. They would prepare the aircraft manifest, they would prepare a load sheet, the load sheet will tell you the weights that you are putting on the aircraft and how that balances the aircraft. The Pilot's task is when they hand those documents to you, you are meant to due diligence to those documents particularly on the weight and balance for the safety of the aircraft and then those documents, a copy of those documents are put into the aircraft, a copy of those documents are kept on the ground in the operations centre and the reason for that is if something should happen the aircraft, then those documents would be with the aircraft and copies would be kept on the ground, and at the end of the flight, those documents are retrieved by the operations and kept with the operations center.

10.29hrs

Captain Gouveia: They are no business of the Pilots.

Mr. Kissoon: Could you state whether or not a passenger manifest would have been created for each and every flight that a Pilot flew?

Captain Gouveia: Today, absolutely! Back then, in the Military, not always. We always would do the load sheets, but the nature of our military operations, at that time, did not always dictate that a manifest of passenger names would be given to the Pilot. What would always be given to the Pilot is a load sheet dictating the weight and balance of the aircraft. Over the years, aviation has evolved and today it is absolutely compulsory; back then it was not.

Mr. Kissoon: On 14th June, 1980 do you know whether or not passenger manifests were given to you?

Captain Gouveia: I really cannot recall, I would believe so based on what the normal operations would be, but it is quite possible, as well, that it could not have been.

Mr. Kissoon: With respect to that, your activities on 14th June, 1980...

Captain Gouveia: Yes?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: ...can you tell us how many flights you flew on that day, if any?

Captain Gouveia: Okay, I am referring to my logbook.

Mr. Kissoon: Certainly.

Captain Gouveia: My logbook dictated here that I flew the first flight in the morning from Timehri Airport to Kwakwani and I took off at 9:08 and I landed... in fact, I beg to be corrected because this logbook would show us from the time the aircraft engines started so it would show that I started the engine of this aircraft at 12:08 and when I landed in Kwakwani, I shut the engines down at 9:57 ... so it was 9:08 and 9:57 which is a total of 49 minutes.

Mr. Chairman: You mentioned the hour of 12.08?

Captain Gouveia: Sorry, that was Greenwich Mean Time, Sir. We always record the time in the logbook using Greenwich Mean Time and at that time we were three hours behind; today we are four hours behind but I am mentioning it was...

Mr. Chairman: Translate that as.

Captain Gouveia: 9:08 in the morning.

Mr. Chairman: Okay.

Mr. Kissoon: And how many other...

Captain Gouveia: Wait let me just ... right, so I did the Kwakwani flight, I came back and then I flew to Jaguar and then I flew to Mabaruma, so I did three missions that day.

Mr. Chairman: Counsel, given the nature of the evidence that we have received, it is the flight to Kwakwani that we are particularly concerned about so do not carry him all over the world.

Mr. Kissoon: Certainly, Mr. Chairman.

Mr. Chairman: Okay? Focus on that flight.

Mr. Kissoon: With respect to the activities on 14th June, 1980...

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Yes.

Mr. Kissoon: ...can you describe for us what happened when you reported for duty?

Captain Gouveia: Having looked at the logbook, my memory... I remembered I got to work the morning and I was given my flight programme for the day by the operation staff, which might have been a Corporal or a Sergeant of the Guyana Defense Force, at the time, and I remember that there were some people standing in the hangar; it was a man, a woman and some children and I was instructed that we would fly them to Kwakwani and I would come back to go on and then go on to do the other flights and that is exactly what we did. The other flights were both military flights as well.

Mr. Kissoon: Who gave you your instructions to fly that first flight?

Captain Gouveia: They instructions would have been passed from the operation staff.

Mr. Kissoon: Do you recall the identities or description of any of the parties that gave you...

Captain Gouveia: No, I do not.

Mr. Kissoon: Did you know who the passengers you were transporting were?

Captain Gouveia: No, I did not.

Mr. Kissoon: Had you ever seen them before?

Captain Gouveia: No, I did not.

Mr. Kissoon: Did you receive any special instructions concerning the passage of these passengers?

Captain Gouveia: No, I did not.

Mr. Kissoon: Did anyone speak to you concerning anything about these passengers?

Captain Gouveia: No.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: Referring to your logbook, just to be clear, you stated that you left at 9:08 a.m., is that correct?

Captain Gouveia: Yes

Mr. Kissoon: Referring to the logbook, it says that you landed at 9:51 a.m., is that correct?

Captain Gouveia: That is correct.

Mr. Jairam: It is 57, Counsel.

Captain Gouveia: 9:57.

Mr. Kissoon: 9:57. Forgive me, Commissioner, the photocopy is not clear.

Mr. Jairam: Yes.

Mr. Kissoon: Can you state how long the aircraft stayed on the ground when you landed?

Captain Gouveia: Well, the aircraft started at 10:00 which would have been three minutes from the times we shut the engine down to the time we started back the engines, so it started back at 10.00.

Mr. Kissoon: When you landed at Kwakwani what happened with the passengers?

Captain Gouveia: Exactly what would normally happen in every flight; the Captain, which I was at that time, will exit the cockpit, go to the back, open the door, allow the passengers off the aircraft, make sure they are cleared of the aircraft and we would lock the aircraft doors up and depart again.

Mr. Kissoon: Can you state who, if anyone, was waiting to receive the passengers?

Captain Gouveia: I have no idea and I do not recall.

Mr. Kissoon: Can you describe, in detail, where the passengers went, into car, into a bus?

Captain Gouveia: No, at Kwakwani runway there is fence around that runway so, really, there is hardly anybody on that runway, in fact, other than the mining security so when we landed the

WALTER RODNEY COMMISSION OF INQUIRY

passengers would come off and at the southern side of the runway there was a shed and the passengers would have walked to that shed, but I do not recall if there was anybody or any vehicle waiting. I do not recall.

Mr. Kissoon: Can you describe what conversations you would have had with these passengers, if any?

Captain Gouveia: Absolutely none.

Mr. Kissoon: Can you describe for us what the passengers looked like, their facial features, clothing and so on and so forth?

Captain Gouveia: You know I really... even if I saw the passengers today, I cannot tell you that I will recognise them. I paid no special attention to them.

Mr. Kissoon: Can you...

Captain Gouveia: Let me just make this point to you, Sir, that as a Military Pilot, it was not unusual and in fact the protocol was... We were very junior Pilots at the time – we were Second Lieutenants – and it was not unusual for the Pilots of the Guyana Defense Force not to have discussions and conversations with their passengers. We lived in a very regimented way and we flew those planes and made sure that the passengers were safe, but we had no business in conversation with our passengers, which was not unusual.

Mr. Kissoon: Can you describe the demeanor of the passengers, meaning their emotional status, if any?

Captain Gouveia: There was nothing unusual. There were no anomalies that I recognised or that caused me to be concerned and I want to say to you, as a Pilot, we are in fact, very conscious of anomalies with our planes, our mechanics or crew members and so on. That day, I do not recall having any kind of concern or noticing any anomalies that would cause me to be concerned.

Mr. Kissoon: When you returned to Timehri that morning, can you describe what conversations, if any, anyone had with you concerning these passengers?

Captain Gouveia: Nothing at all.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: Can you describe what conversations...

Mr. Chairman: Counsel, you are asking him about the passengers, this Inquiry is concerned with the male passenger. Do you understand?

Mr. Kissoon: Yes, I do.

Mr. Chairman: Do not ask him about the children and so on. We are interested in the male passenger.

Mr. Kissoon: Specifically, did you have any conversations concerning an adult male passenger that you may have transported?

Captain Gouveia: Absolutely not.

Mr. Kissoon: When you completed your day's activities what happened on 14th June, 1980?

Captain Gouveia: I would have gone back to the Officer's Mess and have dinner and then I would have retired to my quarters.

Mr. Kissoon: Can you state whether or not you were aware on 14th June, 1980, that Dr. Rodney passed?

Captain Gouveia: I did not know that Dr. Rodney had died during the day of the 14th but I learnt about it when I returned to my barracks that night and I was listening to the radio and I heard the broadcast on the radio, but during the day of the flight activities I had no knowledge that he had died.

Mr. Kissoon: Okay and after 14th June, 1980, what happened next concerning the circumstances or your recollections dealing with the transportation of this male passenger?

Captain Gouveia: There was nothing unusual, other than, I think it was a couple of days after, I saw in one of the newspapers a picture of a person that was described as this man "Gregory Smith" that was involved or somehow, related with the death of Dr. Walter Rodney and when I saw the picture of the person, I felt that there was an anomaly then in my mind that the person that I saw in the newspapers looked like the man that was on my plane.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: Do you recall the newspaper that you saw?

Captain Gouveia: No, I do not.

Mr. Chairman: You do not go so fast now. You are now smoking, man, you were all around. Get relevant now. Do not go so fast now.

Mr. Kissoon: I did not hear.

Mr. Jairam: Do not proceed too quickly. This is an important area.

Mr. Kissoon: Okay. Do you know for a fact that the man you saw...

Mr. Chairman: But what does he mean by that? It was coming back to you that the photograph you saw seemed to square with the features of the man that you actually flew?

Captain Gouveia: Yes, Sir.

Mr. Kissoon: Do you know for a fact that the man that you flew was the man that you saw in the picture in the newspaper?

Captain Gouveia: At the moment in time... and I remembered this, this was an anomaly. I remembered seeing the picture in the newspapers and it was a very private moment for me... I remembered seeing the newspapers, seeing the picture of the man and I felt that the man that I was looking at in the picture... It was not that picture, Sir. It was a picture that seems to have been more fronted of the person; that looked like the man who was in my aircraft, but I never knew for sure.

Mr. Kissoon: Can you state with any certainty whether or not the man you transported in the aircraft was Gregory Smith?

Captain Gouveia: I really cannot say that with a 100 per cent certainty, but it was an anomaly in my mind when I saw the picture in the newspapers a couple of days afterwards.

Mr. Chairman: Counsel, what I want to know is whether given that an anomaly was triggered and he had reason to believe that this man that he took there to Kwakwani was Gregory Smith, did you take any steps to ascertain whether it was in truth Gregory Smith?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: No, Sir, I did not.

Mr. Chairman: Why not? Was it not of any interest to you?

Captain Gouveia: Well, first of all, Sir...

Mr. Chairman: You might have been part of the escape for him, not that you would have done it on your own initiative. For example, did you go back to the passenger manifest to find out what was the name on the manifest, anything of the sort?

Captain Gouveia: No, I did not.

Mr. Chairman: Did it subsequently occur to you that you might have assisted in his escape, not voluntarily but following instructions from superior officers?

Captain Gouveia: I believe that context would be important here... context of time and the kind of media reports that were being fed to the public and the media reports and the information that ordinary people like me would be getting. The news media did not identify Gregory Smith as the murderer. It identified him as a person that was identified and so the news media, at the time, that I was looking at and the radio that I was listening to, while I knew that there was a connection between what happened and the man who I am seeing in the newspapers because of the allegations that were being... I, at the time, did not ... I knew that there was an anomaly and particularly as well, Sir, because I was in the Military and I know in context, it is very difficult for people to understand this; in the Military, as a Lieutenant, you do not question, and you do not go behind the scenes to investigate, and I did not. If in retrospect and in hindsight, I should have, I did not.

10.44hrs

Mr. Chairman: Yes, but was it the duty of the military? You looking back might have been asked to do something very improper; was it the duty of the military to provide escape for a killer?

Captain Gouveia: Absolutely not, Sir.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: Well, that must have worried you given what you were hearing, said, and what was being reported in the media.

Captain Gouveia: Sir, like I said, with due respect; in context of the time, the media reported that the country was subjected to media reports did not identify this man like you just described him. It described him as a possible accomplice. Nobody at the time knew for sure....

Mr. Chairman: Mr. Gouveia, do not carry us around the world, man. Listen to me carefully; you having seen the photographs days after....

Captain Gouveia: Yes.

Mr. Chairman: ... it occurred to you that it was anomaly...

Captain Gouveia: Yes, Sir.

Mr. Chairman: ...this man, Gregory Smith, who was being fingered as the man who was being involved in the death of Rodney, flew with me....

Captain Gouveia: Sir, he was not fingered in the media that I was looking at.

Mr. Chairman: Pardon?

Captain Gouveia: He was not fingered in the media that I was looking at, nor was he fingered in the media that I was listening to.

Mr. Chairman: You told us that when you saw his photograph in the newspaper, in the context of being involved with Rodney....

Captain Gouveia: Yes.

Mr. Chairman: It occurred to you that that is the very man that I flew.

Captain Gouveia: Yes.

Mr. Chairman: What is the implication of that; that if that report is true, that you would have provided escape on instructions for the killer? Did you privately ask to speak to a superior officer?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: No.

Mr. Chairman: Did it burden your conscience?

Captain Gouveia: No.

Mr. Chairman: It did not trouble you at all?

Captain Gouveia: No.

Mr. Chairman: Why not?

Captain Gouveia: Because – Sir, again, in context- as a Military Officer. Over the years, I have been involved in many operations and missions in Guyana, and unfortunately, the incident of Dr. Rodney’s death fell into the category of many of those types of – today, as you look back on it in hindsight - national, historical, and spectacular events. At the time as a young Army Officer, it was not my business.

Mr. Chairman: Speak to us, man, with more specificity. Were you involved in providing escape for criminals and even killers? You said that it appeared to be normal. Were you involved in that sort of thing before?

Captain Gouveia: Absolutely not, Sir. I was a Military Officer executing my job.

Mr. Chairman: But what do you mean when you say it appeared to be normal?

Mr. Kissoon: Perhaps I can interject here, Mr. Commissioner...

Mr. Chairman: I would prefer the Witness to answer. You may want to interject, and you will have the opportunity to do that, but I would prefer him to answer.

Captain Gouveia: I wonder if you could ask the question again, Sir.

Mr. Chairman: What do you mean by “it appeared to be normal”; in the context of the times, have you had been involved in similar missions? What does all that mean? – that you were providing escape... the Military, and you flying the aircraft on previous occasions involving

WALTER RODNEY COMMISSION OF INQUIRY

criminals... men who had committed wrong... tell us what you mean. I am going on your evidence.

Captain Gouveia: I do not think I said here that I ever provided an escape plan to criminals and murderers...

Mr. Chairman: You said it seemed to be normal. You went on...

Captain Gouveia: What I said, Sir, with due respect; is that as an Army Officer, and a very junior officer at the time, we were involved in many operations; many activities that I, myself, had no idea about. For example, I had no idea who Walter Rodney was. As a young 22 year old, Army Officer, I had no idea of the man's enormous international status. I had no idea who he was; whether he was in fact a good man or a bad man. I really did not know, at the time, in context. Today, he is a man with tremendous international stature with tremendous respect. I did not know at the time.

Mr. Chairman: But as soon...

Captain Gouveia: Yes.

Mr. Chairman: ...immediately following his death...

Captain Gouveia: Yes.

Mr. Chairman: ...all of his background and achievements were paraded before the entire public of Guyana and the entire Caribbean, and the world. So if you did not know before he died, you certainly knew immediately after. Is that not true?

Captain Gouveia: Well, Sir, again, what I read is that Walter Rodney was expelled from Jamaica. I understand that he was expelled from Africa. So, while they were people who had tremendous respect for him on one hand, there were many persons on the other hand who felt that he was involved in questionable activities.

Mr. Chairman: I am sure that you learned more than that he was expelled.

WALTER RODNEY COMMISSION OF INQUIRY

Attorney for Dr. Patricia Rodney, Asha Rodney, Shaka Rodney and Kanini Rodney [Mr. Andrew Pilgrim]: *[Inaudible]*

Mr. Chairman: I am using his language. He was banned, prevented from entering... but you learnt much more. You seem to want to emphasise in your mind what are negatives.

Captain Gouveia: Yes, Sir.

Mr. Chairman: But you learnt much more. You learnt about his enormous positives. Was that not in the paper, too?

Captain Gouveia: Sir, you know, with also due respect; there may be persons who admired Walter Rodney, and who followed his career. I certainly did not.

Mr. Chairman: Yes, but apart from that, he was a fellow human being. He had a right to live. The fact that he was killed in violent circumstances like that, did not concern you; whether you had a liking for him or not.

Captain Gouveia: I did not say liking, Sir. I did not say that. I did not say that. What I am saying to you, when I speak today, I can only speak in the context of where I was 34 years ago. Today, my views are very solid. I am very strong in my conviction to what I believe today. Back then, 34 years ago, I am trying to explain to you where my mind was; where I was. If you asked me today what I believed, it would be a completely different matter. 34 years ago I was a young Army Officer; I was a Second Left Tenant following instructions, very obedient, personally, very honoured to be serving my country in uniform. I followed my instructions with pride and dignity and I never, for one minute, believed that that flight was one where I transported any criminals or murderers. I did not know it then, and over the years, it was not something I ever discussed because it was just not military protocol to do so.

Mrs. Samuels-Brown: Sorry...

Mr. Chairman: Yes, just one further question. Am I to understand that though it occurred to you that this man might be the man "Smith" that has been identified as the man who was involved in his death; you were indifferent as to whether that was so or not? You took no steps as

WALTER RODNEY COMMISSION OF INQUIRY

to ascertain. Is it because you were indifferent 34 years ago as to whether that was the same man that was involved in his death or not?

Captain Gouveia: I guess; if you permit me, Sir...

Mr. Chairman: You seem to have difficulty answering direct questions with brevity and direct.

Captain Gouveia: Well, Sir, we are talking about context of 34 years ago. I will say to you as a young man trained in the Army at the time; what I read in the state media, I myself had some questions in my mind. That is why I was not wholly impressed with what had happened in this sense. I could not understand, as a young man, that Walter Rodney would have gone by himself, with his brother in the middle of the night – because I read his report in the *Caribbean New...*

Mr. Chairman: The question is, Sir, were you indifferent as to whether I was involved following instructions...

Captain Gouveia: If who was involved, Sir?

Mr. Chairman: Whether you; were you indifferent as to whether or not it happened that I was involved –meaning you- in transporting the man who might have killed Rodney?

Captain Gouveia: No, Sir. I never considered myself involved in that, no.

Mr. Chairman: No, the question is whether you were indifferent.

Mr. Kissoon: Mr. Commissioner, perhaps now is a good time for us to simply allow Captain Gouveia to explain why his reaction was what he is saying it was.

Mr. Chairman: Yes, we want him to be given every opportunity, but he is very elusive. He is not answering the questions asked.

Mr. Kissoon: This question may help...

Mrs. Samuels-Brown: No, I am sorry. I would like to try because I was going to hold these questions until the end, but they fall directly from the Chairman. I just want to understand from Mr. Gouveia. You said you read something the day after, or you heard news, after you returned from Kwakwani on the 14th June. Am I correct? You heard some news....

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: I said I heard the news on the radio.

Mrs. Samuels-Brown: Alright. Could you tell me – I was not here at that time 34 years ago- what radio station was this?

Captain Gouveia: Sorry, which radio station?

Mrs. Samuels-Brown: Which radio station?

Captain Gouveia: It was the Government's radio station. There were two radio stations, but both of them were Government radio stations at the time.

Mrs. Samuels-Brown: What you heard that night was that Walter Rodney had been killed, on the news? Can you recall? Had died?

Captain Gouveia: That Walter Rodney had died, I think. I believe – like I am saying, it was 34 years ago - it was after the flight it came to my attention...

Mrs. Samuels-Brown: I heard that. I understand that. It was after you came back. You said the radio station indicated or carried the news that someone by the name of Walter Rodney had died.

Captain Gouveia: I believe so, Ma'am.

Mrs. Samuels-Brown: Okay; then, the newspaper the following day with the photograph?

Captain Gouveia: No, I could not remember what day it was. It was a few days after the flight.

Mrs. Samuels-Brown: A few days after. Would it be a month or less than a month?

Captain Gouveia: It would have been less than a month.

Mrs. Samuels-Brown: About a week, or less than a week?

Captain Gouveia: I would have to guess, but it would really be hard to think.

Mrs. Samuels-Brown: It was close to...

Captain Gouveia: A week, or two weeks after.

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: A week or two.

Captain Gouveia: I would say a week.

Mrs. Samuels-Brown: Okay. What newspaper was that?

Captain Gouveia: I really do not recall but what I can tell you, I think the *Catholic Standard* was a newspaper that I looked at from time to time, and the *Guyana Chronicle* was a newspaper that I looked at as well. I do not recall what paper it was that I saw his picture in. his picture that I saw was a facial picture of the person...

Mrs. Samuels-Brown: Okay, thank you. It was either the *Catholic Standard* or the *Chronicle*, or one of those newspapers that you saw his picture in. was there a written article that accompanied the photograph?

Captain Gouveia: There would have been an article in the state media.

Mrs. Samuels-Brown: You say “would have been”. Having seen the photograph which resembled someone you had transported earlier, did you read the article? Were you curious to see what the article was saying?

Captain Gouveia: Actually, Ma’am, I would say that what actually caught my attention was the report by Dr. Walter Rodney’s brother. I think he made the report to a *Caribbean News Agency*. I do not recall how, but that report that he made to news agency was one which I read with very keen interest. Our own media’s reports were very scanty at the national level. The one that really interested me, and I paid very keen attention to, was the report that was done by his brother a few days after to the *Caribbean News Agency*.

Mrs. Samuels-Brown: Alight. So, your first answer is that you cannot recall if you read the article...

Captain Gouveia: Right.

Mrs. Samuels-Brown:that accompanied the photograph...

Captain Gouveia: Right.

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown:but you did pay attention. You were drawn to the report by Dr. Rodney's brother...

Captain Gouveia: Yes.

Mrs. Samuels-Brown: ...and this report indicated, as well, that Walter Rodney had died?

Captain Gouveia: Yes.

Mrs. Samuels-Brown: And it suggested that he had been killed by a bomb blast?

Captain Gouveia: Yes.

Mrs. Samuels-Brown: Did it go on to indicate if any third parties were involved apart from...

Captain Gouveia: Yes. Either I read or heard the statement by his brother. I myself, at that time – and this was the second anomaly I had - that the report by his brother left a lot of open questions in my mind about what really had transpired that day. The brother's account was one that was extremely unimpressive for mere eyesight. I remember wondering why Dr. Walter Rodney and his brother would have been venturing into that kind of adventure...

Mrs. Samuels-Brown: Okay....

Captain Gouveia:and I remember that.

Mrs. Samuels-Brown: So, that struck you. Did it also cause you to think not just about the events of 13th June, or 14th; did it cause you to think to consider whether there was a link between what Donald Rodney was saying and the photograph that you had seen on the paper of the man who bore resemblance to the man you had transported on the 14th June?

Captain Gouveia: Yes.

Mrs. Samuels-Brown: It caused you to wonder then, you had transported someone who was involved in the killing or the death of Walter Rodney?

Captain Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: At that point, did it cause you to consider whether you should check the passenger list in relation to the flight in which you had transported this man, the woman, and the children?

10.59hrs

Captain Gouveia: No, Ma'am. I actually had no interest in rechecking the passenger list, but I remember I did developing a personal interest in evaluating in my own interest the circumstances or Dr. Walter Rodney death that night and I was not... In fact, would always hope for a moment like this in the history of Guyana maybe we will find the reason why, but I remember, at the time, I having a lot of question marks in my mind about how Dr. Walter really died.

Mrs. Samuels-Brown: One of those questions in relation to the circumstances under which Dr. Walter Rodney died would have been, "did the man I transport play a role in this...?"

Captain Gouveia: Yes, exactly.

Mrs. Samuels-Brown: "...and what was this role, if he did, so play that role?"

Captain Gouveia: Exactly.

Mrs. Samuels-Brown: But you did not as a really, as a very junior officer, make any enquires.

Captain Gouveia: I did not.

Mrs. Samuels-Brown: Related to that, if I may, were you told or aware of any police investigation into the death of Walter Rodney?

Captain Gouveia: Again, from the State media, I remember that the Government of the day having an Inquiry and if I remember correctly, I think, they brought in some British investigators into the country.

Mrs. Samuels-Brown: Before that... Okay, thank you.

Captain Gouveia: That is all I know, Ma'am.

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: Were you ever weigh any photographs of anyone who was named as “Gregory Smith” been posted, or been circulated has been wanted by the Police in relation to the death of Walter Rodney.

Captain Gouveia: In subsequent years, yes.

Mrs. Samuels-Brown: In subsequent years, but not immediately afterwards.

Captain Gouveia: No.

Mrs. Samuels-Brown: Thank you. Thank you, Mr. Chairman.

Mr. Chairman: I have been asked to break for comfort purposes, a comfort break.

Mr. Pilgrim: Is it for your comfort, Mr. Chairman? Just enquiring.

Mr. Chairman: No it is not, the comfort of others. We are going to have a break at this time.

Attorney for Mr. Donald Rodney [Mr. Keith Scotland]: Mr. Chairman, may I respectfully suggest a shorter break today bearing in mind that the Witness may have an earlier departure time; a truncated break?

Mr. Chairman: Okay, so you are suggesting what, that we do 15 minutes now?

Mr. Scotland: Yes, please. Exactly at quarter past, we return.

Mr. Chairman: Comfort break, return at 11:15hrs.

Hearing Suspended at 11.04hrs.

Hearing Resumed at 11.22hrs.

Mr. Chairman: We have a short day today bear in mind the application has been made that we bring proceedings to an end by 14.00hrs today, so we continue in a minute. Mr. Gouveia and his Counsel will continue to produce the evidence. Counsel for the Captain, are you ready?

Mr. Kissoon: Yes, Mr. Chairman.

Mr. Chairman: Continue.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: Captain Gouveia, prior to the break, the Chairman of the Commission asked you to give reasons as to why your reactions to reading the news reports were what they were. Do you remember that line of questioning? Do you recall been asked that question?

Captain Gouveia: Yes.

Mr. Kissoon: When asked the question, your testimony was that there was very little reaction from you. Is that correct?

Captain Gouveia: I believe so, yes.

Mr. Kissoon: Can you describe for us why that was so?

Captain Gouveia: I think that the point that I was making, at the time, was that as an Army Officer, almost every national events of significance of search and rescue, mass deaths, maritime patrols in the ocean, sinking ships; death was something that we dealt with in the Military on a regular basis. We went to crash sites with dead people. I was there in Jones Town, flew the first aircraft into Jones Town threw the Congressman's body out, walked among the dead bodies in Jones Town and so events of national significant was something not because of me, as a person, but because of my role I played as an Army Officer. I was in the middle of significant national events in Guyana over the years so it was not one that alarmed to me cause me of extreme concern and we move from event to event over the years.

Mr. Kissoon: In comparing the realisation that you may have transported Gregory Smith on 14th June, 1980, how was your reaction compared to you being involved in other national events?

Captain Gouveia: Exactly... and so back then 34 years ago, no, I had no clear definite conclusion of the part that Gregory Smith would played and the part that Dr. Rodney had played in his own death. I had no clear conclusion on that event.

Mr. Chairman: Counsel, would you be kind enough to have him clarify "in the context of that time"? He is using that expression repeatedly. What does he mean by "in the context of that time"?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: Captain Gouveia, can you edify as to what that means and to what time period you are speaking about, if any?

Captain Gouveia: 34 years, ago I was 24 years old. I was a very junior Military Officer and I was living at the time in a country where information was extremely restricted and controlled, information that flowed to the citizens of the country because of the limited amount of media flow that we had and so that is what I mean by “in the context of 34 years ago” – my age, my experience and the atmosphere in which we all lived in those days.

Mr. Chairman: I think he is going around in a circle there “the atmosphere in which we all lived”. What was that atmosphere he is talking about, who controlled the information?

Mr. Kissoon: Well, specifically, Captain Gouveia, dealing with the date of 14th June, 1980, and the days immediately subsequent to that date can you describe for us what you considered to be the atmosphere at that time, if you have a view?

Mr. Chairman: I did pose a specific question though who controlled the information? He said, “Because information was restricted and controlled”. What does he mean by that?

Captain Gouveia: We had one newspaper and we had two radio stations that were controlled by the State of Guyana at the time and so all the information that was filtered to citizens in mass was filtered through those media. Then we had the *Catholic Standard*, I think, but it was a very small publication and then we got information out from the Caribbean, from time to time, and there were times I actually flew into the Caribbean, into Barbados, when we would get... we would be able to read news outside of Guyana so the context of time was a time when the State controlled the information flow through the State media at the time.

11.23hrs

Mr. Kissoon: When you came to the realisation that you may have transported Gregory Smith, on 14th June, 1980, can you state whether or not you had a view as to the degree of his involvement in the death of Walter Rodney, if any?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: No. Until I read the account of Dr. Walter Rodney's brother that is the point in time when I believe that I started to look at it with some level of interest, but not one where I was able to draw as well a conclusive conclusion on the event that caused Dr. Walter Rodney to lose his life.

Mr. Kissoon: Repeatedly, here today you have testified that you were a junior officer at that time. Is that correct?

Captain Gouveia: That is correct.

Mr. Kissoon: In June 1980, how many years were you in the Army?

Captain Gouveia: It would have been three years by then.

Mr. Kissoon: What was your rank at that time?

Captain Gouveia: A Second Lieutenant.

Mr. Kissoon: What does that mean? Were you able to give instructions?

Captain Gouveia: As a Pilot... Well in the context of the Army, a Second Lieutenant is the most junior commissioned officer. In the context of the Army Air Corps, the only thing you had command of was your aircraft. In the infantry, you would have had command of Soldiers below you, but as an Army Pilot at the rank of a Second Lieutenant you only had control over the aircraft that you commanded.

Mr. Kissoon: Assuming that you received an instruction to fly in a certain area that you did not want to fly, could you have questioned those instructions or refuse to follow them?

Captain Gouveia: Unless it was an issue of safety, we flew the length and breadth of this country in the dead of the night, in the worst thunderstorms and never questioned the instructions to save people's lives from maritime reconnaissance, but if there was a reason, if the aircraft was

WALTER RODNEY COMMISSION OF INQUIRY

unserviceable or we got weather reports that were really dangerous then we would make the representation, but if we were instructed to go then we went.

Mr. Kissoon: You have testified that there was a certain military protocol not to question the commands given by superior officers, is that correct?

Captain Gouveia: That is correct.

Mr. Kissoon: Can you describe to us what that protocol was?

Captain Gouveia: You received your command and in fact we had something we called “CUFFY”. It was Communicate.

[Inaudible]

Captain Gouveia: “CUFFY”, it was an acronym. It was “Communicate, Understand the communication, Feedback to make sure, Follow up on the communication” and, finally, the ‘Y’, stands for “You”; that you had to execute that instruction and communication. We in the Military at the time and today, I believe, execute instructions that were given to us, lawful instructions that was given to us, with expedience.

Mr. Kissoon: Can you state what consequence, if any, there would have been for a second lieutenant to question the commands that were previously given?

Captain Gouveia: Disobeying a command in any military in the world... There are particular military laws that will dictate it, but as a matter of routine, as I was voluntarily there, I was very proud of my military service, very proud of my Army, very proud of wearing the uniform that I wore and I executed every instruction with pride and dignity, and I never felt a reason to disobey or to question it and if it did I would have; if I felt it was unlawful, but at the time I did not.

Mr. Kissoon: Just to expand on that answer, in June 1980 or the subsequent months, did you at any time believe that your flight of 14th June, 1980, that first flight, was in any way illegal?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Absolutely not.

Mr. Kissoon: Since that flight of June 1980, throughout the year of 1980, did you have any conversations with any military personnel or otherwise concerning that flight?

Captain Gouveia: No.

Mr. Kissoon: Has anyone approached you since that flight to discuss the details of that flight in your years whilst you were in the Military?

Captain Gouveia: There was one time during the years of Desmond Hoyte, when Desmond Hoyte, as the President of Guyana, had signaled that he was contemplating to have a similar Commission of Inquiry like this. Nobody ever approached me directly, but it was the next time in my life that I focused on that flight and I thought that maybe the time will come; however it would help, to shed clearer light on what happened to Dr. Walter Rodney that night and the circumstances surrounding his death; that whatever that I had to say may shed light on what happened.

Mr. Kissoon: You had testified that you received the flight plan from the Operation Staff on 14th June, 1980?

Captain Gouveia: That is correct.

Mr. Kissoon: Can you describe what contact, if any, you had with your superior officer who would have been the commanding officer of the Fixed Wing Division on that day?

Captain Gouveia: Not Officer Commanding. They are two different things. There is a Commanding Officer, which is at the rank of a Major or a Lieutenant Colonel. Officer Commanding is at the rank of a Captain. I would have from time to time had contact with the Officer Commanding which was Captain Baker who was the Chief Pilot and Officer Commanding of the Fixed Wing division. He was the person that would do my training. He was

WALTER RODNEY COMMISSION OF INQUIRY

the person that we would interface with, but on a regular basis we would not interface with him, we would interface with his staff which were the Corporals and the Sergeants that worked in the Operations Centre under his command.

Mr. Kissoon: Do you know who, if anyone gave the Operation Staff instructions concerning that first flight on 14th June, 1980?

Captain Gouveia: I was not privy at the time to how the instructions flowed, but I would imagine that it would always pass through the Chief Pilot down to the Operation Staff who would then disperse that operation information to us. As I got to be a senior in the Army, I recognised that for a fact that was the way it would happen. For example, when I became the Chief Pilot of the Army Air Corps, so I became the Officer Commanding, I would receive instructions from my Commanding Officer and I would then pass it down to my Pilots below me, but that was many years after.

Mr. Kissoon: Did you know prior to reporting for duty on 14th June, 1980, that you were to fly to Kwakwani on 14th June, 1980?

Captain Gouveia: No. We would normally turn up to work, turn up to the hanger, there was no requirement when we get there then our missions would be handed to us or not handed to us, so we were meant to fly all the Pilots were there and at that point in time we would be handed our missions so you are either flying or you are not flying when you report for duty that day.

Mr. Kissoon: Can you state whether or not you found it unusual that a passenger manifest may not have been given to you on that first flight of 14th June, 1980?

Captain Gouveia: I think I said earlier that I cannot recall, but I would imagine that it was, but I cannot recall because as a standard the passenger manifest, the load sheet and the flight plan would be prepared by the Operation Staff and be given to the Pilot as a standard. Now, in

WALTER RODNEY COMMISSION OF INQUIRY

military operations there are many times when we would fly without a manifest because we would be flying very important persons (VIPs) and what they would do, what is never compromised, is the load sheet in the aircraft which would deal with the safety, the weight and balance of the aircraft. In terms of the passengers, if they were top secret passengers, if they were Government officials, if they were visiting dignitaries, many times that would not have been given to us. That would have been kept by the Operation Staff themselves.

Mr. Kissoon: Do you personally know of the circumstances concerning Dr. Rodney's death?

Captain Gouveia: No, absolutely not.

Mr. Kissoon: Do you know who was involved if anyone?

Captain Gouveia: No.

Mr. Kissoon: Do you have any knowledge of any facts or circumstances other than those that we have discussed here this morning concerning the death of Dr. Walter Rodney?

Captain Gouveia: No.

Mr. Kissoon: Commissioners, at this point I have no further questions for Captain Gouveia.

Mr. Chairman: Thank you.

Mr. Pilgrim: Chair, I wonder if I could then have an opportunity now to ask a few questions?

Mr. Chairman: Certainly, Mr. Pilgrim, certainly.

Mr. Pilgrim: Captain, taking the account as given by Donald Rodney out of the equation just for the moment, do you accept that you had a duty, when your suspicions were raised, to do anything?

Captain Gouveia: With due respect, Sir, I wonder if the question you asked me was asked in the context of today or the context back then?

Mr. Pilgrim: Well let us deal with back then first.

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Back then, no.

Mr. Pilgrim: Today now?

Captain Gouveia: Today my mind is extremely inquisitive and extremely revolutionary.

Mr. Pilgrim: But forgetting...

Captain Gouveia: And I would have done it today, yes.

Mr. Pilgrim: You would have done it today?

Captain Gouveia: Yes.

Mr. Pilgrim: Now, much of your evidence is couched in terms that refer to the following: your youth, the fact that you were a junior officer and the fact of this context and this atmosphere and so on and so forth. May I coalesce your answer into a position where you agree with me that your conditions at that time, the particular conditions existing around you were such that you did something that you regret? I want to begin with that, your non-action then?

Captain Gouveia: You are asking me today?

Mr. Pilgrim: Yes if that is something you now regret, having said that today you would have done it differently?

Mr. Kissoon: If I may, just to be clear, what action?

Mr. Pilgrim: Non-action.

Mr. Kissoon: What non-action in particular?

Mr. Pilgrim: Your failure to do anything at all after it came to you attention that you could have flown a man who was involved in the death of Walter Rodney; that non-action is what I am asking you about. I understood your answer earlier to be saying that today you would have done something about it. What I want to know now is if you accept that you have some regret looking back now on your non-action?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: I have no regret. I will tell you what. Today, I feel a sense of duty to be here and to testify to this Commission the whole truth and nothing but the truth, as I know it, and if I would hold anyone accountable for the fact that I never had this opportunity to relate that fact that I flew this plane which I felt then I would hold the State, and by “State” I mean whether we are talking about the former Government or this Government that they never created the atmosphere for this to happen before so I am glad that it is happening today.

Mr. Pilgrim: You agree with me then that the State at the time ought to have further explored this?

Captain Gouveia: Absolutely. Absolutely. Absolutely.

Mr. Pilgrim: You agree with me then that there was an absence of a thorough investigation by the state of these circumstances at the time?

Captain Gouveia: Are you asking me that... and it is important... I am sorry, with due respect, when you ask a question could you please if you are referring to what I believe today...

Mr. Pilgrim: Then... We are talking about then now. The failure of the then Government; the Government whose command you would have been in, the Government who would have stated first of all that there was no Gregory Smith at all. That Government, in your view, did it have any responsibilities to explore further the questions about Gregory Smith and his being in a plane and so on?

Captain Gouveia: Absolutely. That Government...

Mr. Pilgrim: As we say in Barbados, stick a pin right there for me. Do you think that even as a junior officer, even in the context of the atmosphere, as you call it, at the time you had any duty whatsoever to the people of Guyana and to the Army which you worked in to draw any of these matters, in terms of your suspicions, to any one superior's attention?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: In the context then, no.

Mr. Pilgrim: Okay. Let us look at that context a little bit. Do you concede that the media was controlled by the Government?

11.47hrs

Captain Gouveia: Absolutely

Mr. Pilgrim: Do you agree that that was wrong?

Captain Gouveia: Absolutely.

Mr. Pilgrim: Do you concede that there were a number of things happening in the atmosphere, as you called it at the time, and I refer to first of all the use of the House of Israel to carry out the work of the State. Are you aware of that, have you ever heard of that?

Captain Gouveia: I read about it here, yes.

Mr. Pilgrim: Did you read about it then, back in 1980?

Captain Gouveia: Yes, there were the rumors and so, but remember I was based out of town. I was at Timehri airport for years, so I was not involved in the activities that were happening in the city, but I did hear about it, yes.

Mr. Pilgrim: Did you at all at that time in at atmosphere, have any concern that the Government was manipulating Government organisations, including the one that you were part of?

Captain Gouveia: If you ask me that question in the context of 34 years ago, three years of being an Army Officer I would say to you that I did not give it a lot of thought, but I say to you that as I grew older in the Army, yes, tremendous thought to freedoms and democracy, freedom of the media and the restrictions we lived under became of extreme concern to me.

Mr. Pilgrim: Two years before this unfortunate incident in June, 1980, 919-odd people died at Jonestown.

Captain Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Did you have any concern about the fact that the then Government, for example had brought Jonestown into Guyana at all, for example?

Captain Gouveia: It is a very interesting question, Sir, because actually...

Mr. Pilgrim: What I am really asking...

Captain Gouveia: I will answer you.

Mr. Pilgrim: Go ahead.

Captain Gouveia: I will answer you. At the time we were populating our hinterland and we were doing it with National Service Centres all over the country. We had young people; thousands of us were going up to the hinterland to do agriculture to develop our country across, to move away from the coastland and when, as a young man, I saw what was happening at Jonestown. Never for one minute did I feel that there was anything improper, again, understand in context, when I was there and I flew Government officials into Jonestown, and what I saw was exactly what I was seeing happening across the country. People were in agriculture, they were building roads...

Mr. Pilgrim: These people were Guyanese people?

Captain Gouveia: They were American people.

Mr. Pilgrim: Did you think anything unusual about bringing a thousand non-nationals to work in your country...

Captain Gouveia: No, absolutely not.

Mr. Pilgrim: Let us leave that alone then.

Captain Gouveia: Right,

Mr. Pilgrim: That was fine to you.

Captain Gouveia: Yes, absolutely and actually we had a lot to learn from them in the early stages, Sir when ...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: We still have a lot to learn, but let us leave that....

Captain Gouveia: Let me just say, let me just put it in context to say to you when the suicides happened, a lot of us then learnt, afterwards, the significance of what was happening. During the life of Jonestown, if you had visited Jonestown, you had no reason to suspect that they were involved in any kind of improper or illegal activities.

Mr. Pilgrim: Thanks. Now, because of things like Jonestown...

Mr. Chairman: You promise me Counsel not to spend too much time on Jonestown.

Mr. Pilgrim: I am finished with Jonestown.

Mr. Chairman: [*inaudible*]

Mr. Pilgrim: The Witness. With all due respect to him, he wanted to have some say about it and I have allowed him that say.

Captain Gouveia: Thank you, Sir.

Mr. Chairman: Very well.

Mr. Pilgrim: Things like Jonestown made you feel as you said "not alarm easily by death", those are your words.

Captain Gouveia: Yes.

Mr. Pilgrim: Okay, you did not have any responsibility in the death of the people at Jonestown for example. That did not have anything to do with you?

Captain Gouveia: No, I knew a lot of them personally.

Mr. Pilgrim: You were not at fault; nobody could not say that you tell somebody to drink some "Kool-Aid"?

Captain Gouveia: Right.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: You agree that was entirely different situation in which you may be implicated in flying someone away from a scene?

Captain Gouveia: Never, if you ask me if I felt I was implicated at the time and absolutely not.

Mr. Pilgrim: Okay, after the death of Burnham after 1983, I believe...

Captain Gouveia: 1985.

Mr. Pilgrim: 1985, I beg your pardon.

Captain Gouveia: 5th August, 1985.

Mr. Pilgrim: Sorry?

Captain Gouveia: 5th of August, 1985, 6th August, 1985.

Mr. Pilgrim: You all were close?

Captain Gouveia: Actually, it was the day after my wedding anniversary.

Mr. Pilgrim: Okay, under Mr. Hoyte, you said that there was the promise of some sort of inquiries.

Captain Gouveia: Yes.

Mr. Pilgrim: And you were keen then?

Captain Gouveia: Yes

Mr. Pilgrim: For an opportunity?

Captain Gouveia: Yes.

Mr. Pilgrim: It seems to me that, on listening to your evidence Sir, that you were keen all along. Is that correct? From the time you were involved or did you become keen in 1985 or did you become keen in 1987, did you become keen now? When did your keenness to bring these things to light? When did that begin for you?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: If at any point in time the Government...

Mr. Pilgrim: Listen to me and forget the Government for a moment. When did you become keen to bring these things to light? Forget opportunities being offered to you by a Government, when did you become keen to think that these things should come to light?

Captain Gouveia: Sorry, which things are you talking about?

Mr. Pilgrim: Your knowledge of whom you had in that plane and you are in action in dealing with it. When did you think people other than yourself should get to know about it? You were keen in 1987 or sometime after 1985, the 7th August or whatever you said when the man died.

Mr. Chairman: I think you have asked the question and it is quite clear..

Mr. Pilgrim: Sorry Sir.

Mr. Chairman: Give him a chance to answer.

Mr. Pilgrim: I am grateful to you, Sir.

Captain Gouveia: I would say to you in any point in time that there was a Commission of Inquiry like this I would have been keen and willing to do my duty if I am being called to do it.

Mr. Pilgrim: In other words, you had no personal duty as far as you are concern? If a Government did not offer you any opportunity these secrets would go to their grave with you. Is that correct?

Captain Gouveia: Which secrets?

Mr. Pilgrim: The secrets of your flying a man you believed to be Gregory Smith.

Captain Gouveia: Let me explain to you why with due respect, Sir.

Mr. Pilgrim: Just ...

Captain Gouveia: It is a secret to you; it is not a secret to me.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Hold on to our breath, Sir, hold on. Do you agree with me that these secrets would die with you?

Captain Gouveia: No.

Mr. Pilgrim: You have told other people then?

Captain Gouveia: Sorry?

Mr. Pilgrim: You have then told other people?

Captain Gouveia: No.

Mr. Pilgrim: In other words, what I am trying to get from you Captain is barring action by the Government creating a Commission of Inquiry, did you think at any time that you, you, I think your first name is Gerry?

Captain Gouveia: Yes.

Mr. Pilgrim: Did you Gerry Gouveia, forget the Captain, forget all that, you as a human being that you had a duty to say, "Look I knew information that could be relevant to an investigation into the death of a human being".

Captain Gouveia: No.

Mr. Pilgrim: Wow. Yet you were keen for the Government to give you such an opportunity?

Captain Gouveia: I think with due respect I want to say this to you. You see this book; this is my book of truth. Everything I write in here is not a secret. This is public knowledge. Everything I write in here is recorded in the Control Tower, is recorded in the aircraft log book. The Civil Aviation Department which is a legal entity knows everything I do, it is not a secret so you call it a secret, and I do not. This is not a secret.

Mr. Pilgrim: Do you agree with me that that book could not recognise Gregory Smith?

Captain Gouveia: Absolutely.

Mr. Pilgrim: Who could recognise Gregory Smith when they saw him in the papers?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: I think if you read why I said correctly or you heard what I said correctly, is this...

Mr. Pilgrim: You understand the book cannot help you, Captain?

Captain Gouveia: When I saw the picture, when I saw this picture in the newspapers it looked like the man who was in my plane, looked like the man in my plane. If you ask me to 100 per cent confirm that even then in context or today I would say to you no, I cannot absolutely tell you that, but I will tell you it was an anomaly that I felt in my heart which I believed, but I cannot 100 per cent confirm it because I never spoke to the man.

Mr. Pilgrim: Captain Gouveia...

Captain Gouveia: Yes, Sir.

Mr. Pilgrim: It looked enough like the man 34 years later, here you are today. Do you agree with that?

Captain Gouveia: Yes.

Mr. Pilgrim: It looked enough like the man that it was in your view "an anomaly". Do you agree with that?

Captain Gouveia: Absolutely.

Mr. Pilgrim: It looks enough like the man that you are saying that if it had happened today you would have done something about it. Do you agree with that?

Captain Gouveia: Absolutely, yes.

Mr. Pilgrim: And the excuse that you cling to as I understand it is your youth.

Captain Gouveia: Are you calling it an excuse, Sir. It is not an excuse.

Mr. Pilgrim: Sorry, the reason.

Captain Gouveia: It was the premise.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Premise? Do you prefer premise?

Captain Gouveia: Thank you very much.

Mr. Pilgrim: The premise that you cling to for not doing it is your youth?

Captain Gouveia: No, it was my rank.

Mr. Pilgrim: Youth and rank?

Captain Gouveia: It was my military, it was my rank.

Mr. Pilgrim: I made a note, your youth?

Captain Gouveia: Yes.

Mr. Pilgrim: Your rank?

Captain Gouveia: Yes.

Mr. Pilgrim: And what you called the context.

Captain Gouveia: And the Military protocol.

Mr. Pilgrim: I think your rank would cover that.

Captain Gouveia: Right.

Mr. Pilgrim: Do you know Norman McLean?

Captain Gouveia: Yes.

Mr. Pilgrim: When did you first meet this gentleman?

Captain Gouveia: When he was in the Guyana National Service.

Mr. Pilgrim: Do you have any idea if that was before June, 1980?

Captain Gouveia: I was in the Guyana National Service in 1975.

Mr. Pilgrim: I am going to say that was before then.

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: That is right.

Mr. Pilgrim: Have you ever had a conversation with Norman McLean about the events that you have discussed with this tribunal today?

Captain Gouveia: When this Commission was established and I was approached about giving evidence, I did mention to him because over the years as we have both come out of the military and is in the Private Sector we became colleagues and I did mention to him that I was written to about appearing here and he listened to my statement to him and that was the end of the conversation. We never had any detailed conversation, no.

Mr. Pilgrim: You said he listen to your statement to him.

Captain Gouveia: Yes, as I told him that I was going to come here because I got a letter from the Commission inviting me to give evidence, and I did share that information with him, yes.

Mr. Pilgrim: Did you tell him what you are coming to give evidence about?

Captain Gouveia: No, I did not discuss that with him.

Mr. Pilgrim: Did he ask you?

Captain Gouveia: No, he did not.

Mr. Pilgrim: You are not letting me finish, brother. Come, Captain man, you alone cannot talk.

Captain Gouveia: My apologies, Counsel.

Mr. Pilgrim: [*Inaudible*]. Did he ask you what would be the relevance of your evidence to this tribunal? What would you possible have to tell this tribunal 34 years after about events in June, 1980? He did not ask you that?

Captain Gouveia: No.

Mr. Pilgrim: Well, well, well. And you did not say to him Mr. McLean or Brigadier or Captain Kirk or whoever he is, you did not say to him...

Captain Gouveia: Major General.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Major General, I beg your pardon, I get these things wrong, I am not a Military man.

Captain Gouveia: Okay.

Mr. Pilgrim: You did not say to him the reason I am being called to give evidence is?

Captain Gouveia: You are dwelling into the context and details of the conversation I had with him. You ask me if I told him, I said, “yes”. If you want to know the context and the details of the conversation, I would say to you that we are actually both at the Private Sector Commission sitting at a Council’s meeting, and I turned to him and I said to him that I got a letter from the Commission initiating me to give evidence and in fact, when I contacted my own Attorney just to make it very clear, I said to him that I told him what had happened, but I said the Commission did not spell out me initially exactly what they wanted me to come here to say. My Attorney, I believed, is what got the answers so the Commission never told me clearly what it is I am coming here to do. I could only imagine that so I never discussed that with Mr. McLean or anybody else. I discussed it with my Attorney.

Mr. Chairman: Counsel, unless I had it wrong...

Mr. Pilgrim: Yes, Sir.

Captain Gouveia: I captured him as saying “after the Commission was established, I spoke to him” meaning Mr. McLean.

Mr. Pilgrim: Yes, Sir.

Mr. Chairman: “Give him my statement and he said nothing”. If that is true, what statement...

Mr. Pilgrim: My question was, when you use the word statement what did you mean by statement?

Mr. Chairman: I give him my statement, but unless I captured it wrong, “and he said nothing”.

Captain Gouveia: I want to say to you, Sir, if that is what you captured that is definitely not the context in which I meant to say, if I said so.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Okay, let us...

Captain Gouveia: What I did say to you which I said a moment ago, when I got the letter from the Commission I did mention to Mr. McLean that I was invited to give evidence here and I did not discuss with him the context because I myself was not informed by the Commission, and if you see the letter it was a very and the only person I discussed the details with my Attorney.

Ms. Samuels-Brown: To put Mr. Gouveia at ease, he did say, "I told him that I was approached, he listened to my statement to him" and then the Attorney did ask you, "what he meant by statement" and he did say that, "is that I was asked to give evidence, but I did not tell him what I was going to say".

Captain Gouveia: Thank you very much.

Ms. Samuels-Brown: He had said that, to be fair to him.

Mr. Chairman: Thank you fellow Commissioner.

Mr. Pilgrim: To the extent that Mr. McLean mentioned you in his evidence here in June 5th, he said that you told him that you are coming to give your evidence about flying the plane. Is that a fair account of your conversation with him?

Captain Gouveia: I do not really recall of having the details and the context.

Mr. Pilgrim: I am not asking you about the details, Captain. I ask you if you tell the man I coming to tell them I fly the plane that had in Gregory Smith?

Captain Gouveia: No, I did not.

Mr. Pilgrim: You mentioned to him, in other words, when he says in his evidence on June 5th here before this tribunal, that you told him that you were coming to give about flying the plane, is he lying on you?

Captain Gouveia: If Mr. McLean said so?

12.02hrs

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Yes, if he said that, is he the liar or you?

Mr. Gouveia: You know, as a good Military Officer, I will have to say that I am the liar, but I will say to you that I do not recall the context of the conversation other than it was a cursory conversation that I had with Mr. McLean and the only person I discussed the details of my involvement here is my Attorney.

Mr. Pilgrim: We have that. Right, so you did not mention any plane to Mr. McLean?

Mr. Kissoon: I just want to say that question has been asked and answered to the best of the Witness' ability at this juncture.

Mr. Pilgrim: Did you think at ... well, when was that conversation? That you mentioned that you were coming to give evidence before this tribunal, and you and nor McLean did not discuss it any further, when did that conversation take place?

Mr. Gouveia: Maybe a day or two after I got the letter, I do not recall.

Mr. Pilgrim: I do not know when you got the letter, so that is of no help to me.

Mr. Gouveia: Well, I do not recall either, let me see the letter and I will tell you. It was not a significant date.

Mr. Pilgrim: Was it months ago, weeks ago, last week ... because he said he spoke to you, I think, a week or two weeks before 5th June.

Mr. Gouveia: If he said so, then he is right.

Mr. Pilgrim: And that is the ...

Mr. Gouveia: If he established that as a date, I would not contest that date with him. This is to say that it not unusual for me to have discussions on a regular basis with Mr. McLean.

Mr. Pilgrim: Alright. I am suggesting to you that you had discussions with Norman McLean about these events; I am suggesting that to you, about the plane and about a man you believed to be Gregory Smith and you have had those conversations before today. That is my suggestion to you. You should respond rather than shaking your head.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: I think I said to you that the only person I have had detailed conversations with is my Attorney and no one else.

Mr. Pilgrim: Based on the Law ...

Mr. Chairman: No, but a specific thing was ...

Mr. Pilgrim: I am sorry, Sir.

Mr. Chairman: ... put to you, that you had conversations with McLean about flying the plane that might have had Gregory Smith on board, what is your answer to that? It seems to me that that admits, yes, no, I do not recall ... the answer you gave I do not think is a reasonable answer to a direct question.

Mr. Gouveia: I will try as much as possible to give as reasonable as an answer that I could give you now, Sir.

Mr. Pilgrim: Grateful, Mr. Chairman.

Mr. Chairman: I appreciate that.

Mr. Gouveia: The discussion I had with Mr. McLean, I mentioned to him that I have, that I was invited by this Commission to give evidence here. I do not recall discussing the details because I, myself at the time I spoke to him ... I, myself, at the time I spoke to him, was not informed by the Commission about the details of what I was meant to give here. So, I do not recall discussing the details of what I was coming here to ... with Norman McLean. I discussed with my Attorney and I asked him to find out exactly from the Commission, which he did and then he shared it with me afterwards.

Mr. Jairam: But Captain Gouveia.

Mr. Gouveia: Yes?

Mr. Jairam: Mr. Pilgrim?

Mr. Pilgrim: Yes, certainly.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairam: As far as the death of Dr. Walter Rodney is concerned and apart from flying that plane from Timehri to Kwakwani, did you have in your own mind, any other involvement and when I say involvement or any part to play in the death of Dr. Walter Rodney?

Mr. Gouveia: Absolutely not.

Mr. Jairam: So, in your own mind you knew even without the letter specifying what you were called upon to come here to say, you knew that the only thing you could speak to or speak about was flying the aircraft from Timehri to Kwakwani.

Mr. Gouveia: I imagine that the Commission would definitely be probing into those areas, they will be probing to and I looked at the Terms of Reference as well, that you would be probing into the context at the time and the things that might have been contributing to the environment that we lived in in those days, and that in the context of my talking here, I would have been prepared to tell you everything that I know, so that is why ... but when I spoke to my Attorney, I asked him if there was any specific areas that the Commission was interested in. Rather than having a general baseline to the context at the time, he came back to me with the very detailed specific area that they wanted me talk to.

Mr. Jairam: No, my question apart from all of us, who were living in that time, especially people like your good self in Guyana.

Mr. Gouveia: Yes.

Mr. Jairam: You would have been able to speak on the climate, industrial relations, political and economic; we are not dealing with general knowledge. I am saying in your own mind, the only involvement as far as you were concerned was that because your curiosity had been triggered ...

Mr. Gouveia: Yes.

Mr. Jairam: ... after you flew the aircraft and you saw his picture ...

Mr. Gouveia: Yes.

Mr. Jairam: Right?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: Yes.

Mr. Jairman: So you in your own mind you knew that was the only direct part that you had to play, if anything.

Mr. Gouveia: I think so, yes.

Mr. Jairam: Since I have your ear, can I ask you, we are all human beings and we get curious from time to time and you have described very graphically, to us as best as you can recall, when after you saw the photograph and you reflected on the flight, could you describe that person for us? The person as best that you can recall that was on your aircraft.

Mr. Gouveia: He looked like a “red man”.

Mr. Chairman: A red man?

Mr. Gouveia: Yes, he was a “red man”.

Mr. Jairam: How tall was he?

Mr. Gouveia: Probably, he looked like you, Sir. *[Laughter]*

Mr. Pilgrim: To the extent that it is useful, Mr. Chairman, I have to insist that I am not Gregory Smith. *[Laughter]*

Mr. Jairam: No one dare suggest that.

Mr. Chairman: I do not know that he was referring to you at all.

Mr. Pilgrim: I thought I was about 7 inches taller based on the descriptions I have seen, by way of confirmation.

Mr. Chairman: I thought that he was referring to the fellow Commissioner. *[Laughter]*

Mr. Jairam: Did he have what we would call “bowed-legs”?

Mr. Gouveia: I would not have recalled that.

Mr. Jairam: You would not recall that.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: No.

Mr. Jairam: What sort of a hairstyle he had?

Mr. Gouveia: He did not look as distinguished as this gentleman, Sir ... *[Laughter]* ... but I actually believe that he had more hair on his head, no I really did.

Mr. Jairam: No obviously.

Mr. Gouveia: He was not an Indian man and he was not an African man, he was somewhere in between there and so I call him a “red man”.

Mr. Jairam: Okay, let me go back to my question, I know it is difficult when you are in the witness stand and sometimes your memory gets a bit fuzzy with all these questions, it is not easy. Could it have been possible that you may have discussed with Major General McLean, when you had this conversation, because he is someone who is quite familiar to you, is he not?

Mr. Gouveia: Yes.

Mr. Jairam: That you would have told him that you are coming to tell the Commission about the flying of the aircraft, was it possible at all?

Mr. Gouveia: You know, I do not recall, but I would say to you that it would not have been an anomaly today at this time, but I really do not recall discussing the details with him because ... the reason is because the only person I recall going into detail with it is my Attorney and I said to him ... when I sat him down, I said, I am going to tell you everything I know, the whole truth and nothing but the truth and I told him everything I know and I said, I am coming here to do that today, as honestly as I could.

Mrs. Samuels-Brown: The Witness did earlier acknowledge that it was a very cursory conversation, but he could not remember the details.

Mr. Jairam: I was simply trying to see if I can jog ...

Mr. Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairam: Because in your own mind, you would have been clear as to what you were coming to say because you knew you were involved in flying the aircraft.

Mr. Gouveia: Yes, I was the Captain of the aircraft, yes.

Mr. Jairam: I noticed you said something, I am not sure if it is Mr. Pilgrim ... yes it was Mr. Pilgrim, given the Military protocol, you readily accepted that you were wrong because he was of a higher rank. Are you deferring to him at all? Because ...

Mr. Gouveia: Sorry, I do not understand the question.

Mr. Jairam: When Mr. Pilgrim put the apparent conflict to you, you readily deferred to Major General McLean ...

Mr. Gouveia: Yes.

Mr. Jairam: ... because of the Military protocol?

Mr. Gouveia: Yes, Sir.

Mr. Jairam: Is it that you are deferring to him on this instance as well because of the Military protocol?

Mr. Gouveia: No, it was because Mr. McLean, Sir with due respect is a leader and anybody who had the privilege of serving under him ...

Mr. Pilgrim: Do we have to go through this again? Quite frankly, Sir, this Commission is not concerned ...

Mr. Chairman: No, but I would suggest that he finish what he is saying.

Mr. Pilgrim: Oh God, we need to get these people's resumes!

Mr. Chairman: What were you saying, Sir?

Mr. Gouveia: Mr. McLean was, I think in good faith and in good mutual respect is where I came here, Sir and I will never disrespect any one of you.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: I do not mean you any disrespect.

Mr. Gouveia: I just want to say to you, Sir that in the context of Guyana, Mr. McLean was a leader in Guyana that was respected by people who served under him and in that context because he was a leader like that, there are many people who still respect him today and I am one of those that do. Thank you very much.

Mr. Pilgrim: If I may continue from that point, Mr. Chairman. Do you respect him so much that you would call yourself a liar over him? Because, that is what you are doing.

Mr. Gouveia: If it is insignificant enough.

Mr. Pilgrim: And you regard the issue of whether you discussed with him this plane, as insignificant?

Mr. Gouveia: I did say to you that I do not recall the details of the conversation that I had with him.

Mr. Pilgrim: But you are now calling it insignificant. I am asking you if you are agreeing ...

Mr. Gouveia: I said ...

Mr. Kissoon: Commissioners, at this juncture we have given our Counselor considerable latitude to ask the question, if we could proceed.

Mr. Chairman: I think we must try to restore some order and proceed in an orderly manner, please.

Mr. Pilgrim: Grateful. The Witness, not me, referred to these matters as insignificant. What are you calling insignificant, Sir?

Mr. Gouveia: I never referred to the matters as insignificant. You asked me, if the conversation I had with Mr. McLean and the details of the conversation, I had with him, whether I told him that I flew the plane or not and I said, I spoke to my attorney. I do not recall whether I did speak to the details with Mr. McLean, but I do not think so and that is what I meant.

Mr. Pilgrim: We went past that.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: Right.

Mr. Pilgrim: I just asked you just now if you would call yourself a liar over him. Your answer to that was, “Yes, where the matters are insignificant.” I then asked you if you are saying that the question of whether you and him talked about this plane is insignificant, that is the question now.

Mr. Gouveia: At the instance in time in the conversation, yes, I believe that it was insignificant.

Mr. Pilgrim: Very well. We passed. Did the police at any time question you about this matter?

Mr. Gouveia: Never.

Mr. Pilgrim: Did it ever come to your attention that the police had in their bosom statements from people, who saw the plane that you were piloting in Kwakwani on 14th June?

Mr. Gouveia: Never did.

Mr. Pilgrim: Did it ever come to your attention that there were other witnesses who said they saw Gregory Smith dismount from a plane on the 14th June at Kwakwani?

Mr. Gouveia: Never did.

Mr. Pilgrim: Did it ever occur to you that the State was manipulating this investigation?

Mr. Kissoon: Forgive me ...

Mr. Gouveia: Which State?

Mr. Pilgrim: Well, let us deal with the State of the time.

Mr. Gouveia: Exactly. Please, Sir, I ask you respectfully if you could just put your microphone on.

Mr. Pilgrim: I will try my best, Sir to keep to your requirements.

Mr. Gouveia: No, just in context.

Mr. Pilgrim: Thanks, 13th June and beyond 1980, that context.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: Well, immediately after, the event at that time, I remember reading in the news that the Government had invited British investigators into the country to investigate into the circumstances of this event. My life was a very busy one and I did not pay attention to the findings and the details of that investigation.

Mr. Pilgrim: Did you think it appropriate that you should approach those investigators and bring your information ...

Mr. Gouveia: Absolutely not!

Mr. Pilgrim: Because?

Mr. Gouveia: I was a Military Officer.

Mr. Pilgrim: Right.

Mr. Gouveia: Nothing that I did, I felt was irregular, secret ...

Mr. Pilgrim: Did you think that you could have assisted their investigations?

Mr. Gouveia: If they had approached me, I will definitely have done that. As a Military Officer, it would have been totally out of my protocol to approach investigators on any activity I had done while I was still an active member of the Military.

Mr. Pilgrim: If you as a Military Officer, following orders sees something that is an anomaly to you that could be relevant to an investigation into a death, is there any channel within the Army that you can use to bring it to the attention of the investigators, whether police ...

Mr. Gouveia: If I felt that way, yes but I did not feel that way.

Mr. Pilgrim: But you just told us that today you would do the right thing.

Mr. Gouveia: No, no, today ... but I am saying to you that the context of time, I did not.

Mr. Pilgrim: Let us see if we can ...

Mr. Kissoon: Commissioners ...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Sorry.

Mr. Kissoon: Mr. Pilgrim, Captain Gouveia has testified that at the time he did not feel anything wrong or illegal was being done and questions are now being asked what would he have done today, and trying to transcribe that to what he would have done because Captain Gouveia has testified that at the time, he did not feel that he was doing anything wrong, even after coming to the realisation that he may have transported Gregory Smith. I think that Counsel Pilgrim's questions should be tailored accordingly. Frankly, I think he is beating a dead horse at this juncture.

12.17hrs

Mr. Pilgrim: Well, I hope your client is not a horse. I do not mean him any injuries. Mr. Chairman.

Mr. Chairman: I was about to conclude that in relation to... You have moved from Mr. McLean, now?

Mr. Pilgrim: I have, Sir.

Mr. Chairman: You have because I thought that that particular...

Mr. Pilgrim: ...particular horse, I think, is now deceased.

Mr. Chairman: That particular orange has been squeezed dry.

Mr. Pilgrim: I have moved from that, Sir. The Witness then returned to this issue of truth then and truth now. I think I should maybe try to clarify that before I move on.

Mr. Chairman: For a long while he has been speaking of how he viewed things then and how he views things now.

Mr. Pilgrim: Yes, I understand that, Mr. Chairman.

Mr. Chairman: I do not know that "now" I terribly useful to us but...

Mr. Pilgrim: Not terribly.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: ...but...

Mr. Pilgrim: Let us see if I can clarify it with a few questions and then move on, Mr. Chairman.

Mr. Chairman: Very well. Promise us not to be too long on that.

Mr. Pilgrim: What you would do now is regarded as the right thing, taking some action? Would you regard that as the right thing?

Mr. Gouveia: As I grew older...

Mr. Pilgrim: No! It is either right or wrong...

Mr. Gouveia: I question everything...

Mr. Pilgrim: The difficulty...

Mr. Gouveia: ...and I would definitely question everything that is an anomaly in my life so anything that I do, anything that would come across my desk or my life, yes, I would question it.

Mr. Pilgrim: Do you think, Captain Gouveia, that things can be right now and wrong then and both perfectly fine?

Mr. Gouveia: Yes.

Mr. Kissoon: Commissioners, again, forgive me. Counsel, forgive me for interjecting...

Mr. Pilgrim: No, do not be sorry. It is your job.

Mr. Kissoon: These grounds have already been covered. Almost identical questions have already been asked and answered. We would respectfully request that Counsel would be persuaded to move to the next topic, if there is nothing else relevant.

Mr. Pilgrim: I take the guidance from my learned Friend. I think the issue of whether it is right is quite frankly a matter for the Commission and I will leave it to the Commission as to whether it is right in June, 1980, and whether it is right now, today. I think the Commission will decide from what is right and from what is wrong. I just pass quickly to your statement. I do not want to

WALTER RODNEY COMMISSION OF INQUIRY

linger. I know that other people down the order who well want to bat. I want you to look paragraph 36... Sorry...

Mr. Chairman: I think the issue needs to be determined with respect to the witness's credibility and other issues really now fall for us. I think you have done your best in relation to extracting what you could from him but we have to be satisfied with his answers. We have to determine how much weight will attach to it...

Mr. Pilgrim: No doubt, Sir.

Mr. Chairman: ...and what it says about his credibility and so on.

Mr. Pilgrim: No doubt, Mr. Chairman.

Mr. Chairman: Okay.

Mr. Pilgrim: Mr. Chairman, I just want to pass quickly to a few issues. I do not know if you have heard, Sir, but Gregory Smith, or someone purporting to be the sister of Gregory Smith, published a book sometime I think around 2005... 2007... with the title *Assassination Cry of A Failed Revolution*.

Mr. Gouveia: Yes.

Mr. Pilgrim: Just to the extent that it is relevant to your testimony about the people on the plane with you on that first flight at page 39 of that document... 38, I beg your pardon...

Mrs. Samuels-Brown: Has he ever seen the book?

Mr. Gouveia: Yes, I saw the book.

Mr. Pilgrim: Did you actually read it, and all of that?

Mr. Gouveia: Yes, I read it, yes.

Mr. Pilgrim: In what is chapter four, in a period where I understand him to be describing the aftermath, he indicates that he was driven onto the runway or very near to a plane, and put onto

WALTER RODNEY COMMISSION OF INQUIRY

that plane; would that occur to the circumstances in which the passenger you believe could have been Gregory Smith? Would that occur to how the person went onto your plane?

Mr. Gouveia: No.

Mr. Pilgrim: It would not.

Mr. Gouveia: And in fact, I think if you read that they talked about stairs, aircraft stairs...

Mr. Pilgrim: Yes. Right.

Mr. Gouveia: When I did read it, I did recognise that that book, for that particular event of my flight, was not at all reflective of that event where I was involved on that flight.

Mr. Pilgrim: Thank you. The...

Mrs. Samuels-Brown: Before you move on, the witness mentioned “stairs”; it is of significance, is it?

Mr. Gouveia: Sorry?

Mrs. Samuels-Brown: Some stairs. You said the book referred to some stairs. Is it that your plane had no stairs?

Mr. Gouveia: No. The Islander does not have stairs. You just step off the ground into the aircraft.

Mrs. Samuels-Brown: Thank you very much.

Mr. Pilgrim: That was my understanding. Grateful, Madame Commissioner.

Mrs. Samuels-Brown: I thought that you were putting away your...

Mr. Pilgrim: That is what I thought he had stated; that his reference to stairs made no sense because there were no stairs.

Mr. Gouveia: Right.

Mrs. Samuels-Brown: He made the reference but he did not...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: I am grateful to you, Commissioner, for the clarification. The number of the plane you flew on the 14th, if you can recall there to your long on your left hand.

Mrs. Samuels-Brown: I am sorry. Go back to that. He says how the events occurred do not accord with a car being driven along the run way. Can you tell us how the persons accessed the aeroplane, please?

Mr. Pilgrim: Have you heard the question?

Mr. Gouveia: They walked.

Mrs. Samuels-Brown: They walked.

Mr. Pilgrim: Yes, thanks.

Mr. Gouveia: They walked from the hangar into the aircraft.

Mr. Pilgrim: The hangar would have been approximately how far away, just approximately?

Mr. Gouveia: Maybe they would have been standing here and by the front row of that is where the aircraft would have been parked so they could have walked from here to the aircraft.

Mr. Pilgrim: Certainly no cars were in between.

Mr. Gouveia: No.

Mrs. Samuels-Brown: Was there anybody waiting in the wings waving them off? Did you notice anybody else around?

Mr. Gouveia: No. I particularly remember them standing in the hangar. They were kind of clustered together. It was not unusual. They were there and they seemed to be... They were waiting when I got there. When I got to work that day those persons were in the hangar. I walked, saw them, went into the operations room, and then did the flight afterwards.

Mr. Chairman: So... Sorry...

Mrs. Samuels-Brown: None of the Operations Officers pointed them out and said "those are your passengers" or did that not happen?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: Yes. When I went into the operations room that is when, when they were describing the flight that I had to do, they said, “the passengers are in the hangar and they are the ones you are going to be taking to Kwakwani.”

Mrs. Samuels-Brown: These would have been Army Officers who were....

Mr. Gouveia: These were NCOs; they were Non-Commissioned Officers. They were Corporals and Sergeants.

Mr. Pilgrim: But members of the Army?

Mr. Gouveia: Members of the Army, yes.

Mrs. Samuels-Brown: Would they be senior or junior to you?

Mr. Gouveia: Very, very, very junior.

Mrs. Samuels-Brown: Very, very...?

Mr. Gouveia: Junior. In the army you have Commissioned Officers, and Non-Commissioned Officers so at the rank, they were operating about two or three levels above a Private Soldier so you had a Private Soldier and then you have a Lance Corporal, Corporal, Sergeant, W1 and so on and then you get to Lieutenant. They were junior NCOs.

Mrs. Samuels-Brown: And you were what?

Mr. Pilgrim: Commissioned...

Mr. Gouveia: I was a Commissioned Officer. I was the most junior commission officer. They were Junior Non-Commissioned Officers so there were two layers in the structure.

Mrs. Samuels-Brown: Thank you so much.

Counsel to the Commission [Mr. Glenn Hanoman]: If I may, just for the record; could it be that the distance pointed out by the Witness is about 30 feet, if that is agreed upon? Just for the record, the distance that they walked.

Mr. Chairman: I too was about to ask.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Could you give a judgement on feet there, Sir, approximately?

Mr. Gouveia: I could give you a height.

Mr. Pilgrim: *[Laughter]*

Mr. Gouveia: No, I am averaging. They were in the hangar and as they walked out, the plane was on the hangar on the ramp outside the hangar.

Mr. Pilgrim: Very well. You would say more than 20 feet for that?

Mr. Gouveia: I would say so.

Mr. Pilgrim: How do you feel, Mr. Hanoman? Is that okay?

Mr. Hanoman: Not more than 20 feet could mean a lot of things. If you could put it in a tighter range it would be better, I think.

Mr. Pilgrim: 20 to 40 feet, 20 to 30 feet?

Mr. Chairman: Where did you say, from the table, or you were talking from the witness box?

Mr. Gouveia: I was looking where that good looking young man is sitting.

Mr. Chairman: The first row?

Mr. Gouveia: Yes, Sir.

Mrs. Samuels-Brown: There are several good looking young men that I am observing down there.

[Laughter]

Mr. Pilgrim: The fellow put up his hand at the back and said he is good looking too...

[Laughter]

Mr. Scotland: I am at the side.

[Laughter]

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Mr. Scotland points out that he is right here.

Mr. Gouveia: In the front row there, yes.

Mr. Pilgrim: The gentleman in the brown shirt?

Mr. Gouveia: The brown shirt and the fancy-looking tie. Yes, that young man there.

Mr. Chairman: Seven to eight yards.

Mr. Pilgrim: Yards, Mr. Chairman, will mislead the listening public. They barely know feet.

Mr. Chairman: I do not think so.

Mr. Gouveia: I think you did say more than 20, maybe less than 40. Would that be good?

Mr. Pilgrim: Leave it at that? We will leave it at that and pass. Earlier I had referred to some witness statements and, Mr. Chairman, with your leave, I want to refer to document that was a part of LJ/CID/WR 1, and I think I am at page 55. If the Secretariat there can help me with pages 55, 57, and 59...

Mrs. Samuels-Brown: Whose statement?

Mr. Pilgrim: This would have been from the Police Officer, I believe, who gave some...

Mrs. Samuels-Brown: The document on that...

Mr. Pilgrim: Oh, the document is the statement I am looking for is the Avril Bourne's statement.

Mrs. Samuels-Brown: Right, it is page 55.

Mr. Pilgrim: That is what I had indicated, so I was just asking if...

Mr. Chairman: A statement from the police files?

Mr. Pilgrim: Yes, Sir.

Mr. Chairman: And who is the policeman who took the statement?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: This is Winston Saigo, Detective Sergeant 8267, it looks like. If the Secretariat could assist me in letting him see a copy while I ask him... Yes, thanks.

Mr. Chairman: And Saigo is S-A-I-G-O?

Mr. Pilgrim: Yes, Sir. Yes, Chairman.

Mr. Chairman: Winston Saigo.

Mr. Pilgrim: Yes, Mr. Chairman, Winston Saigo, Detective Sergeant 8267. Captain, if you look at the top of this document, first of all, do you see a name there, Avril Bourne? Female, negro, age 38?

Mr. Gouveia: Yes.

Mr. Pilgrim: She states at the third line "On Saturday 14th June 1980, I was at home when a GDF aeroplane came and landed at Kwakwani airstrip and I saw a strange looking man and woman. The man is thin built, of mixed race. He is about 5 feet 7 inches, brown complexion and has narrow features." Could these events and that description be consistent with the person you believe to have flown to Kwakwani?

Mr. Gouveia: Without reading the rest of it I would say that...

Mr. Pilgrim: That is the description. I am not hiding anything from you.

Mr. Gouveia: Yes, I would say so.

Mr. Pilgrim: She goes onto describe the woman, but I would try to focus on the man, because I think the man is who you remember.

Mr. Gouveia: Right.

Mr. Pilgrim: I do not want you to think I am hiding anything from you. Now, a little further down the page, towards the middle, a sentence beginning on Tuesday, 17th June...

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: I am sorry, Counsel, before you get there, even though you do not want the woman's description, I think it is important for sequence of events to note that the statement also refers to some children being with them, which is consistent with this incident.

Mr. Pilgrim: Let us explore it fully. The statement continues in these terms "The woman is of Indian descent. Her hair was cut shorty and she is about 5 feet 4 inches, brown complexion and has sound features..." I am not so sure if it was meant to be "sound" or "round", but that is what it is. "...they had some children along with them." Would this be consistent with the party that you flew to Kwakwani on the 14th June?

Mr. Gouveia: Only in the description of the woman and children. In terms of the woman herself, and how she was described...

Mr. Pilgrim: You might not have those details in your memory. In terms of the numbers and the age of the parties, this would be consistent with what...

Mr. Gouveia: Yes.

Mr. Pilgrim: With whom you flew?

Mr. Gouveia: Yes.

Mr. Pilgrim: Grateful. A little further down the page, on Tuesday 17th June, which is a few days after 1980. "I was at home when the said Guyana Defence Force aircraft returned and I saw three persons come out of the plane. One of them was a short dark skinned man, dressed in civilian clothes, came to the main gate and asked the constable where one Cecil Smith is living. The constable sent him to the finance section to inquire for Smith, then afterwards I saw him left for the park. He spent some time at the park then he returned to the main gate along with Gregory Smith, then both left for the aircraft." Do you know anything about flying there in that same on the 17th?

Mr. Gouveia: No. Could I refer to my log book?

Mr. Pilgrim: Certainly, please.

WALTER RODNEY COMMISSION OF INQUIRY

12.32hrs

Mr. Pilgrim: I referred to it already and I did not see any reference, but please do check.

Mr. Gouveia: On the 17th I went to Tacama and then I went to Lethem and then I went to Bartica and it was exactly the same aircraft I flew. Now the Military aircraft, so to say, all looked the same way, but the only way you would know the difference is with the registration numbers so when she said she saw the same plane she could have seen the same type of plane...

Mr. Pilgrim: But she might not know this is a completely different plane.

Mr. Gouveia: Well only different like looking at two Toyotas so you only know the difference by the registration number because the record of my log book show that the exact same plane I flew on the 14th it flew on the 17th, but I did not go to Kwakwani.

Mr. Pilgrim: Where did you go?

Mr. Gouveia: To Tacama...

Mr. Pilgrim: Can you just give the Commission an idea of the distance between Tacama and Kwakwani by the air?

Mr. Gouveia: It would probably be...

Mr. Pilgrim: Five minutes?

Mr. Gouveia: In fact, you could pull it up on your iPad and we could look at it.

Mr. Pilgrim: No, but did you know...

Mr. Gouveia: No, serious I would not be able to tell you that off my head, but if I see it...

Mr. Pilgrim: Would you say that the places are close together, Sir?

Mr. Gouveia: They are in proximity.

Mr. Pilgrim: Well I am in proximity at the Hotel at Pegasus but that is not helpful. What type of proximity?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: I would say you are looking at about 10 to 15 minutes.

Mr. Pilgrim: In the air?

Mr. Gouveia: Yes.

Mr. Chairman: May we get it correctly here Kwakwani is in close proximity with...?

Mr. Gouveia: Tacama. Tacama is the Military Battle School.

Mr. Chairman: Thank you.

Mr. Pilgrim: With your leave, Mr. Chairman, I want you to refer to the statement which is at page 57 in the same bundle of...

Mrs. Samuels-Brown: I am so sorry but would the witness for the verbal record note the time of the flight that he piloted to Tacama, just for the record, could he say what it is?

Mr. Gouveia: The plane took off at 8:36hrs in the morning... Well it did not... The engines were started at 8:36hrs and the aircraft landed at 9:23 hours. Well, the engines were turned at Tacama at 9:23hrs.

Mrs. Samuels-Brown: Can I see the record that he is referring to because it appears as I am looking at something else different. It is important.

[Marshall took the log book to Commissioner]

Mr. Pilgrim: Would your reference be T-A-C?

Mr. Gouveia: T-A-C...

Mr. Pilgrim: Bear in mind that we have to minus out the Greenwich Mean Time to get the...

Mrs. Samuels-Brown: Okay, well he needs to explain that because...

Mr. Pilgrim: Just go over for us, please, Captain.

Mr. Gouveia: Sorry.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Just look at the log...

Mrs. Samuels-Brown: The number seems to be different I believe there is a good explanation for it.

Mr. Pilgrim: You had earlier referred to the time that you would mark in the book and what that time would be to us in Guyana. Could you just take us through ... Tell us exactly what is written there, what the times are and they mean?

Mr. Gouveia: 11:36 hours, that is Greenwich Mean Time, which would have been 8:36hrs in the morning, Guyana time.

Mr. Pilgrim: Just tell us what the details before that show, you flew from where to where?

Mr. Gouveia: This is Timehri. It was referred to as "GEO", Georgetown, to Tacama and then from Tacama back to Ogle.

Mr. Pilgrim: That would have been your flight on the 17th?

Mr. Gouveia: That was one of the flights and then I went again...

Mr. Pilgrim: I do not think we are troubling you with the others at this stage.

Mrs. Samuels-Brown: That was his first flight?

Mr. Pilgrim: Yes.

Mrs. Samuels-Brown: Thank you very much.

Mr. Pilgrim: Now the next statement I want to refer you to is at page 57.

Mr. Chairman: Did you get it clear though that according to that statement provided by Winston Sago...

Mr. Gouveia: Yes Sir.

Mr. Chairman: ...it was a Guyana Defence Force Plane.

Mr. Pilgrim: That is why he was saying that it could have been any Defence Force Plane...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: We had five of those planes.

Mr. Pilgrim: ...because they had certain numbers on them.

Mr. Chairman: Okay, without trying to identifying the number, which we do not seem to have...

Mr. Pilgrim: I think we have it in the next statement or certainly one of them. Can the witness be shown page 57 of the same LJ/CID 1? ... He has?

Mr. Gouveia: This is marked 57 at the top...

Mr. Pilgrim: ...and Joel Southwell is the name...

Mr. Gouveia: Yes.

Mrs. Samuels-Brown: Just before something else occurred to me. Mr. Gouveia, when you flew the plane to Tacama did you have Co-Pilots with you on that occasion, would that be recorded or would you know or were you flying alone? I am very sorry Counsel.

Mr. Gouveia: I will tell you...

Mr. Pilgrim: No, I think that is very helpful. I am very grateful to you.

Mr. Gouveia: Actually, there was no Co-Pilot on the plane with me.

Mrs. Samuels-Brown: Okay, thank you.

Mr. Pilgrim: Just so that it would help us...

Mr. Gouveia: The highlander is not normally flown with a co-pilot.

Mr. Pilgrim: That is what I was going to ask you. Would there be any references to any co-pilots on any of those flights there so that we could pick it up?

Mr. Gouveia: Yes. If you look for example on the 14th June, if you look at the end of that line you would have seen 'A. R.'.

Mr. Pilgrim: So that would have been you Co-Pilot?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: I would normally... and that was not compulsory. That was something I would do just to recall who the Co-Pilot there was and I just put their initials so on that flight there was 'A. R.' and I think on another it was N. W. and so on.

Mr. Chairman: Let us get it clear. The flight that you made on the 14th June, 1980, was there a co-pilot?

Mr. Gouveia: According to my record and when I look at the... initials I put here...

Mr. Chairman: I accept what you are showing me but just help us. Was there a copilot recorded there?

Mr. Gouveia: Sorry, Sir?

Mr. Pilgrim: Was there a copilot?

Mr. Gouveia: According this, yes. According to my record here, when I look at the log book...

Mr. Pilgrim: On the first flight on the 14th June.

Mr. Gouveia: On 14th June this A. R. would have been the copilot and he would have flown with me for the entire day.

Mr. Jairam: Mr. Gouveia, I am a bit confused I thought you said earlier that a single engine aircraft...

Mr. Gouveia: No. Not a single engine, single pilot.

Mr. Jairam: Single Pilot and you had no copilot but you are now saying having looked at your record...

Mr. Gouveia: I am seeing when I flew...

Mr. Jairam: No, I understand. You said before there was no copilot but now having look at your log book you are correcting that by saying, "Yes, there was a Co-Pilot"?

Mr. Gouveia: Yes, from my record, yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairam: I just want to be clear.

Mr. Chairman: Would your records permit you to identify the co-pilot by name, who he was or she?

Mr. Gouveia: Actually, I am looking at the initial here to have “A.R.”. I would really have to go back in time because I flew with hundreds of... and do not remember what the initials were at the time and I look at the initials here, I do not recall what they stood for, but if it is written there it means there was a Co-Pilot there on the plane with me.

Mr. Pilgrim: Would that person have to be of a minimum rank?

Mr. Gouveia: He could have been a Lieutenant or a Cadet Officer. He would have been a Co-Pilot. Now, just let me explain. Ma’am, I think that you asked a question. There are planes that have to be flown with two pilots those are double crew planes – they have to be. There are planes that are single pilot planes, but if you have the vacant seat then that is how we trained junior pilots so they would come along and fly along in the Co-Pilot seat, the second seat, with the Captain so while the plane only requires one pilot, which is what you called a single Pilot aircraft, by law; then you have double pilot airplanes which have to be flown with two Pilots, like the Liat planes always have to have two pilots in front there, the Islanders do not have to.

Mr. Pilgrim: So for the Islanders, it is optional to have a Co-Pilot?

Mr. Gouveia: Yes.

Mr. Pilgrim: There is a space provided...

Mr. Gouveia: We put passengers in it as well in the Co-Pilot seat.

Mr. Pilgrim: And it is alongside the Captain.

Mr. Gouveia: Yes, in the cockpit.

Mr. Pilgrim: Just clarifying, on the first flight on the 14th you had a Co-Pilot whose initial was A.R?

Mr. Gouveia: Right.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Who would have had to be a Cadet or a Gazetted Officer?

Mr. Gouveia: It would have to be a Cadet Officer, I guess.

Mr. Pilgrim: And on the 17th according to your notes there was no Co-Pilot.

Mr. Gouveia: Correct.

Mrs. Samuels-Brown: I am sorry, just to complete that, what was the seating capacity of that plane?

Mr. Gouveia: Nine passenger seats and one pilot.

Mrs. Samuels-Brown: You must have said before and I missed it.

Mr. Gouveia: No, I did not.

Mr. Pilgrim: We were going to page 57 of LAJ/CID/WR 1 and I think you had identified Joel Southwell as a male, negro, age 26 and this is his statement?

Mr. Gouveia: Correct.

Mr. Pilgrim: Just to complete, again, Winston Saigo appears to be the witness at the bottom, "Detective Sergeant 8267". Do you see that there at the bottom?

Mr. Gouveia: Yes.

Mr. Pilgrim: Thank you. Well I will read it very quickly just at the top of the statement. "I am a Supernumerary Constable and is attach with the H-Guyana Mining Enterprise Limited, the Security Section. I am residing at the Security Section Barrack Room in the compound. On Tuesday the 17th June, 1980, one Constable Rose and myself worked from 7.00 a.m. to 3.00p.m. shift at the main gate. At about 9.00a.m...." Just clarify for us at about time you fly on the 17th, your first flight to Tacama?

Mr. Gouveia: 8:30 hrs.

Mr. Pilgrim: And land when?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: I landed at Tacama at 09.23 hours.

Mr. Pilgrim: Somewhere around 9 O'clock. Anyway, so...

Mr. Gouveia: No, 23 minutes after 9 O'clock.

Mr. Pilgrim: ...could be your actual touchdown time?

Mr. Gouveia: Well the time when engines were turned off.

Mr. Pilgrim: So you land and then you shout off.

Mr. Gouveia: That is correct.

Mr. Pilgrim: Grateful, so that sentence goes "At about 9.00 am a small yellow airplane touched down on the airport..." Your airplane would have been what colour?

Mr. Gouveia: Yellow.

Mr. Pilgrim: "...and stop by the landing shed opposite the enquiry office. I observed the number of the aircraft to be 8RGER..." What was the number of your aircraft?

Mr. Gouveia: 8RGER.

Mr. Pilgrim: "...and three men came out. One of them was a pilot and two others". Is it possible that you could have landed at Kwakwani that morning?

Mr. Gouveia: No, not according to my records.

Mr. Pilgrim: Is it possible that a flight could have been done without note being made in your log?

Mr. Gouveia: No.

Mr. Chairman: You are talking about the 17th now.

Mr. Pilgrim: The 17th June. Do you recall at any time...? Do you recall flying Gregory Smith at any time or a man who look like Gregory Smith or resemble Gregory Smith at any time after the 14th?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: Absolutely not.

Mr. Pilgrim: You are certain?

Mr. Gouveia: Absolutely.

Mr. Pilgrim: But the number referred to is the number of the plane you were flying?

Mr. Gouveia: That is correct.

Mr. Pilgrim: Okay we pass to 59 very quickly, Mr. Chairman. Let us go over to 59 and see if you see “Anita Tom, female negro, age 22”.

Mrs. Samuels-Brown: Where are we now? Are you going to another statement?

Mr. Pilgrim: 59, Ma’am.

Mrs. Samuels-Brown: Okay, before you go, I just want you to ask another question. Hold that page 57 there please, Witness. In the context of Guyana – in other countries this is treated with sensitivity but I understand why it is necessary to go into this here – would you normally be described as a short negro man?

Mr. Gouveia: Who, me?

Mrs. Samuels-Brown: Yes.

Mr. Gouveia: I do not think so.

Mrs. Samuels-Brown: I just want to know. Thank you.

Mr. Pilgrim: Grateful. If you can just look at the bottom of this statement again and just tell me if you see...

Mr. Gouveia: Which statement, Sir?

Mr. Pilgrim: Sorry, we are on page 59. Do you see “Anita Tom” at the top?

Mr. Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: ...and at the bottom is taken by Winston Saigo again, Detective Sergeant, 8267?

Mr. Gouveia: Yes.

Mr. Pilgrim: I am going to carry you down to about 12 lines down on Tuesday the 17th June, 1980.

Mr. Gouveia: Yes.

Mr. Pilgrim: "I was on duty in office when about 9.24a.m...." Do you see that part? "...the said aircraft..." No I will need to read the whole thing for it to be fair to you. I am going to read from a sentence that begins with "At about 9.15a.m."

Mr. Gouveia: Yes.

Mr. Pilgrim: No, I need to go up higher. I will read the whole thing. "I am a Supernumerary Constable and is employed with the Guyana Mining Enterprise Ltd in the Security Department as a typist. I am residing at Kwakwani Park with my aunt. On Saturday the 14th June, 1980, I reported for duty at the office at 7.00a.m. At about 9.50a.m., a small yellow plane numbered 8RGER landed at Kwakwani Airstrip and came and stop just near to the main gate. At the time, I cannot remember is anyone was in the office. I picked up the office diary and after making a note of the number of the aircraft, I booked same in the diary in red ink. I cannot say who the passengers were and what they looked like as I did not see them left the aircraft."

12.47hrs

Mr. Pilgrim: It good to see that not only Bajans make that mistake about lefting the aircraft. "I also cannot say by what means they left as shortly after I booked the aircraft I started typing some work which I had to do. I did not hear anything unusual after. On Tuesday the 17th June..."

Mr. Chairman: This is important Mr. Gouveia.

Mr. Pilgrim: From on Tuesday. "On Tuesday 17th June, 1980 I was on duty in office when about 9:24 a.m. the said aircraft came in on the Saturday returned to Kwakwani and stopped at the landing shed. I went through the usual procedure of booking the aircraft". In light of this, are you in any way reminded of the possibility..."

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: No.

Mr. Pilgrim: That you could have landed the said aircraft?

Captain Gouveia: No.

Mr. Chairman: Sorry to interrupt you Counsel.

Mr. Pilgrim: Certainly, Mr. Chairman.

Mr. Chairman: The number that the person gave was a yellow aeroplane number 8RGER?

Captain Gouveia: That is the aircraft I flew on both the 14th and the 17th. On the 17th my destination was not at Kwakwani.

Mr. Pilgrim: And that the time this witness, Anita Thom, was giving is that consistent with you landing time at Tacama?

Captain Gouveia: Yes.

Mr. Pilgrim: I just want to get the context of this statement...

Captain Gouveia: Yes.

Mr. Pilgrim: So I am going to read on more. "A person dressed in civilian clothing came by the gate and met Constable Southwell, Causeway and myself and enquired if one "Smith" was there. I told the man to go to the finance building which is situated at the side of the security building because I know one "Smith" to be working there. The man then left for the finance building and I returned back to office. I cannot say whether he got through or not. The aeroplane left the airstrip at about 10:50 a.m. at about the same time I was..."

Mr. Jairam: 10:05?

Mr. Pilgrim: "At about 10:05. At the time I was in the toilet, so I cannot say who were the person or persons that left with the aircraft". I just want to give you the full context, but you are saying you could not have been?"

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: No. I do not under no circumstances recall every going back to Kwakwani on that mission. What I recognise is what is here in my log book and even when as I reported seeing the picture, I never saw the man again and never encounter him again in my life.

Mr. Pilgrim: Just maybe with a view of getting an idea of what you saw in the Press. I would like, with your lead Mr. Chairman, to show the witness ARG5 which is an excerpt from the *Catholic Standard* which was put in.

Mr. Scotland: Mr. Chairman may I ask if Mr. Pilgrim has any copies?

Mr. Chairman: What is the date of that excerpt from the *Catholic Standard*?

Mr. Pilgrim: It is the 17th August, 1980. I think everyone has it but there are extra copies if anyone needs to follow. The record should reflect that we are looking at ARG 5.

Mr. Jairam: [*Inaudible*]

Mr. Pilgrim: Yes, Mr. Chairman.

Mr. Chairman: And the date is the 17th August, 1980?

Mr. Pilgrim: The price was 30 cents.

Mr. Chairman: It is an extract from the *Catholic Standard*?

Mr. Pilgrim: Indeed, Sir. I just want you to have a look at it, the picture there and see if you can tell us anything?

Captain Gouveia: No, that is not the picture.

Mr. Pilgrim: That is not a picture?

Captain Gouveia: That is not the picture that....

Mr. Pilgrim: That you saw?

Captain Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Since back in June/July of that period in 1980, have you ever seen the picture again?

Captain Gouveia: I think I would have seen it in different publication, but this is definitely not the man that I flew and this is definitely not the picture that I saw.

Mr. Pilgrim: This is not the picture that you saw?

Captain Gouveia: This not the picture and this is not the man that I flew.

Mr. Jairam: We have a few...

Mr. Pilgrim: Other pictures...

Mr. Jairam: ... pictures in the book, Captain Gouveia.

Captain Gouveia: Maybe I can have a look at it?

Mr. Jairam: Do you have a copy of this? The same book that was purportedly written. Take it to him.

[Court Marshall gave a copy of a book with Gregory Smith's photograph to Captain Gouveia.]

Mr. Jairam: Page 20, there is a photograph there.

Captain Gouveia: Yes, but the one I...this look like the man, but the one I saw he was not in uniform.

Mr. Jairam: But this looks like him?

Captain Gouveia: This kind of look likes him, yes, if I would say so but this was not the picture I saw in the media.

Mrs. Samuels-Brown:identify it by its exhibits number for the record?

Mr. Jairam: What is its number?

Ms. Pierre: LER 3

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairam: LER 3?

Ms. Pierre: Yes.

Mr. Jairam: Page 20. May I....

Captain Gouveia: Is there another picture in here?

Mr. Jairam: If you go to the page 15.

Captain Gouveia: No.

Mrs. Samuels-Brown: [*inaudible*]

Mr. Jairam: I just want to be sure, and the one at page 18?

Captain Gouveia: No.

Mr. Pilgrim: Should we have a look at the passport ones to that extent to see if those are anyway helpful? I was just going to enquire though Mr. Chairman whether we should have a look at the passport ones at the rare appendix since we are here?

Mr. Chairman: Yes, but I do not know how, a picture has different stages of a man's life.

Mr. Pilgrim: It may be very misleading. Since we are here let us have a look at the appendix, it would be after page 149.

Captain Gouveia: Of this book.

Mr. Pilgrim: Of the same book so when you go to 149 then there are some pages that are not numbered, think you have up to 151 and then overleaf, yours might have the numbers, mine may not but after 151 if you turn over.

Captain Gouveia: Okay.

Mr. Pilgrim: Do you see a photograph?

Captain Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Passport top and bottom, one clearly younger and one older. Could you say anything about either of those photographs?

Captain Gouveia: What I saw was a frontal picture of a man in the papers and I quickly remembered that, I do not know.

Mr. Pilgrim: As the one? That was the one that caused your suspicion?

Captain Gouveia: Yes, that looked more like the man that I saw in my plane.

Mr. Pilgrim: That caused you to be thinking there was an anomaly so to speak.

[Commissioners were in discussion]

Mr. Pilgrim: There is one at the back cover, just have a look for completeness.

Captain Gouveia: This one?

Mr. Pilgrim: Yes..

Captain Gouveia: Yes, we saw that one.

Mr. Pilgrim: That is similar to the one inside to the first one that you have identified so that is consistent?

Captain Gouveia: The picture I saw was a man in civilian clothes he was not in the military.

Mr. Pilgrim: A man looking like this man?

Captain Gouveia: That is correct, yes.

Mrs. Samuels-Brown: *[Inaudible]*

Mr. Pilgrim: I just want to clarify a few things from your statement. In your statement, you made a reference that you were not then a member of the party, are you now a member of any political party in Guyana?

Captain Gouveia: No.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Were you ever a member of any political party?

Captain Gouveia: No, never.

Mr. Pilgrim: Great. I crave indulgence just for a moment, Mr. Chairman. At this time this is very general and I hope Mr. Chairman would forgive me. It was of your view that in June, 1980 and just beyond there was a functioning Police force in place?

Captain Gouveia: Yes.

Mr. Pilgrim: And there were functioning Courts?

Captain Gouveia: Yes.

Mr. Pilgrim: That is all for me Sir.

Mr. Chairman: Thank you Counsel. Who bowl next? I did not know you were here Mr. Clarke. *[inaudible]*.

Attorney for the Guyana Trades union Congress (GTUC) [Mr. Brian Clarke]: Colonel Gouveia, could I ask you when you were promoted to Major?

Mr. Chairman: Mr. Clarke, one minute Sir.

Mr. Clarke: Sure.

[Commissioners were in discussion]

Mr. Chairman: Please, precede, Sir.

Mr. Clarke: You mentioned that you were promoted to Major before you retired in 1988.

Captain Gouveia: Did I say that?

Mr. Clarke: In your statement.

Captain Gouveia: What did I say, sorry?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Clarke: Could the Witness be given a copy of his statement please? Paragraph 10 of your statement, could you read that for me please?

Captain Gouveia: “I served in the Guyana Defence Force for 12 years working my way up to the rank of Major. I resigned in 1988 and was honourably discharged. I then entered the private sector”.

Mr. Clarke: When did you receive that promotion to the rank of Major?

Captain Gouveia: Sometime after 1986, I do not recall, but even when I resigned, I remained in the reserved so I was an active member of the military reserved and in terms of the exact time I would not be able to tell you that at this time.

Mr. Clarke: You are relatively junior in 1980. Is that correct?

Captain Gouveia: That is correct.

Mr. Clarke: You said you had a junior rank?

Captain Gouveia: That is correct.

Mr. Clarke: When was your next promotion after that?

Captain Gouveia: Barring seeing the records myself, but I can give you approximate times in the military so from a Second Lieutenant to a Full Lieutenant you are probably looking at another year or two and between that rank and the rank of a Captain you would probably go again about another two/three years and then before you get to the rank of Major.

Mr. Clarke: Was this your route to the rank of Major?

Captain Gouveia: Yes.

Mr. Clarke: From June 13th, 1980...

Captain Gouveia: Yes.

Mr. Clarke: When you were relatively junior rank...

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: That is correct.

Mr. Clarke: You received all those promotions in the space of eight years relatively?

Captain Gouveia: If that is what the records show, yes.

Mr. Clarke: Is that not fast in your opinion?

Captain Gouveia: I think you would have to look at the military records to determine that fact, but I was in fact very bright.

Mr. Clarke: You said you were in fact very?

Captain Gouveia: Bright.

Mr. Clarke: Could you explain what that means?

Captain Gouveia: It means that I was hard working; it means that I understand concepts, military concepts, procedures and I adopted and applied myself diligently every day of my life in the Military and it is quite possible that I might have been acknowledged by my performance with my elevations of rank.

Mr. Clarke: Were you ever given any formal report on your performance?

Captain Gouveia: Sorry?

Mr. Clarke: Were you ever given any formal report on your performance to conclude that or that is just your own.....

Captain Gouveia: That is my own egotistical opinion of myself.

Mr. Clarke: Excellent.

Mr. Chairman: Mr. Clarke, while you are on it can you find out how many promotions he had from 1980?

Mr. Clarke: I think he said about three in the space of time which was Second Lieutenant, what that correct?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: I would have gone from

Mr. Clarke: Second Lieutenant to...

Captain Gouveia: In fact I would have gone from Cadet Officer to Ensign to Second Lieutenant to a Full Lieutenant to Captain and then to Major.

Mr. Chairman: I have that as six.

Mr. Clarke: Six promotions.

Mr. Chairman: Six promotions?

Mr. Clarke: And that is in the space of eight years.

Captain Gouveia: If that is what the record shows that is what it will be, yes.

Mr. Clarke: You said you could not remember the exact dates for each one of these promotions?

Captain Gouveia: No.

Mr. Chairman: Was there any parallel for that?

Captain Gouveia: Actually I am kind of taken back; it looks like an anomaly to you but...

Mr. Clarke: I never said that.

Captain Gouveia: No, I just say that because you ask if it was fast. Nobody around me in the Military found it unusual that we were as young army officers and Pilots; it was moving through the ranks that were unusual or unusually fast and there was an anomaly in it, no.

Mrs. Samuels-Brown: You were asked by the Chairman and I do not think you heard...

Captain Gouveia: No, Sorry, Sir.

13.03hrs

Mrs. Samuels-Brown: If they were parallel promotions or ...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: Do you know of any other officers in your time who moved with that rapidity?

Captain Gouveia: Yes, Sir.

Mr. Chairman: And had that ...

Captain Gouveia: Yes, Sir, all my colleagues. There were people that I trained with that came back home who are Pilots as well. There was Major Sandiford, who moved along the same ranks with us. There was Derek Poole. They were all pilots and we were all moving along in the Army, together.

Mr. Chairman: Does that mean that they would have had about six promotions in eight years?

Captain Gouveia: Yes, Sir. If that is what the record shows, I will say yes, that is what it was.

Mr. Chairman: Very well.

Mr. Clarke: You said you moved from there to the private sector?

Captain Gouveia: Yes. I left the Army and I entered the private sector, yes.

Mr. Clarke: What was your first position? I have seen a list of the positions you held here.

Captain Gouveia: When I left the Army I migrated to Canada and became a flight instructor in Canada and then I was offered a job with a Canadian company to come back home as the Head of Security and Logistics called Golden Star. I came back home as the Head of Security and Logistics. Logistics meant air transportation, road transportation, boat transportation and I was also involved in air security and they were the predecessors to OMAI Gold Mines so they were involved in gold exploration and it was a Canadian company. I came back to Guyana as an expat staff of that company.

Mrs. Samuels-Brown: Alright, you are going to have to go a little... Do not slow it down totally, but just a little less quickly.

Captain Gouveia: Sorry.

Mrs. Samuels-Brown: Thanks.

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Would you like me to repeat myself, Ma'am?

Mrs. Samuels-Brown: No, you do not.

Captain Gouveia: Okay, sorry.

Mr. Clarke: What year was it when you returned to Guyana after your stint in Canada?

Captain Gouveia: Probably in 1988 or 1989. I did not stay long in Canada. I did not like it. It was cold.

Mr. Clarke: Your post in the Prison Sentencing Management Board, could you give me a date for that perhaps?

Captain Gouveia: Three years ago, maybe.

Mr. Clarke: Three years ago?

Captain Gouveia: Yes.

Mr. Clarke: Okay, what was your first board position? When did you first hold a directorship?

Captain Gouveia: Of what?

Mr. Clarke: Of any of these boards. You said that you are the President of the Tourism and Hospitality Association of Guyana...

Captain Gouveia: Sorry, 1996 was the first time I entered as an official position holders in the private sector and I became the President of the Tourism and Hospitality Association of Guyana. Then I served there and after that I became the President of the Travel Agents Association of Guyana and the President of the Travel Agents Association of the Caribbean, so I used to travel across the Caribbean and so on. Then I became the President of the Chamber of Commerce here in Guyana. I was Vice President of the Aircraft Owners Association and then I became the Chairman of the Private Sector Commission. In those years, as we were developing the Private Sector... If you will permit me just to say that in the private sector we became very concerned that the economic development was moving a little bit too slowly and so we started to mobilise and organise ourselves. We recognised that we needed to work closer in collaboration with all

WALTER RODNEY COMMISSION OF INQUIRY

the policy holders, stakeholders, and so the private sector started an engagement with Government and all the other stakeholders.

Eventually, the trust was built and then the private sector, through what they call the *Competitiveness Strategy*, started to be invited to sit on different boards so that we became a part of national development. It was no longer “them” and “us” and there was a particular reason for this because in the context of time we were talking about the private sector was completely destroyed in Guyana. 95 per cent of the economy was controlled by the State and the economy was destroyed and I just want to say...

Mrs. Samuels-Brown: Just pause there for me...

Captain Gouveia: Sorry, Ma'am.

Mrs. Samuels-Brown: ...because one of the Terms of Reference relates directly to what you are saying...

Captain Gouveia: Yes.

Mrs. Samuels-Brown: ...about how the economy was organised at the time which had other implications.

Captain Gouveia: Yes.

Mrs. Samuels-Brown: So, you are saying 95 per cent of the economy was owned by the State and this was in what period that you are talking about?

Captain Gouveia: This was the period of time that I was in the Army and again and for the record, I want to say that when I say 95 per cent it could be 92 per cent, it could be 96 per cent, but the general context...

Mr. Chairman: It is estimation by you.

Captain Gouveia: ...was the majority of the productive sector was controlled by the State. The private sector had been minimised at that time, so what we as the private sector set out to do was to ensure that the private sector mobilised and worked hard to never again allow only politicians

WALTER RODNEY COMMISSION OF INQUIRY

to occupy the management space of Guyana and that the private sector will get involved. As a result, we built the trust and we started to now get involved in national development issues so, for example, we were sitting on the board of the power company. We have the President of the Chamber of Commerce sitting there. We had the President of the Manufacturing Association heading the Airport Authority. You had me sitting, because my forte is security, I sit on the Law and Order Commission. I sit in High Level Policy Commissions on Crime and Security. I am a member of the Indigenous People Commission of Guyana and when the Ministry of Home Affairs was setting up their Prison Sentence Management Board, I went there as a representative of the Private Sector and then the board, itself, elected me as the Chairperson of that board and that is what I think happened.

Mr. Chairman: Counsel, do you want all of that?

Mr. Clarke: No, not necessarily.

Mr. Chairman: Because I am not sure where we are heading.

Captain Gouveia: Sorry, I thought you had asked me so I was just giving you the context.

Mr. Chairman: Yes, he asked that but I am not sure where he is heading to.

Captain Gouveia: Okay.

Mr. Clarke: Just one last question. Did you ever have any contact with the political directorate between 1980 and 1988?

Mr. Chairman: No, we are not hearing your voice.

Mrs. Samuels-Brown: Counsel, you are at a microphone which is normally used by someone with a very strong voice so I suspect it has been adjusted for his voice so you need to speak up a little more for us.

Mr. Clarke: Testing. I got it. Just one last question, Captain Gouveia, did you ever have any contact with anyone from the political directorate between 1980 and 1988?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Other than in my aircraft where maybe we would fly Government Ministers? I have been far removed from that level of administration.

Mr. Clarke: Okay, thank you. That concludes my questioning.

Mr. Chairman: Who is next?

Attorney for the People's National Congress (PNC) [Mr. James Bond]: Mr. Chairman, with your leave, Sir.

Mr. Chairman: I am not seeing you.

Mr. James Bond: Mr. James Bond representing the PNC/R.

Mr. Chairman: Are you sure you do not want to come right in front so that I can see you? You are being hidden by the Witness.

Mr. James Bond: I am here, Sir.

Mr. Chairman: Oh, sorry. *[Laughter]*

Mr. Bond: That is okay. Captain Gouveia just a few questions. The conditions of the Military is what I am concerned about, within the said 1980 period. Could you tell us whether or not...? You know that it may have been a prerequisite for persons getting scholarships, military scholarships for example, to hold their party card, persons who may have gotten or acquired a government scholarship, to first have a party card, the PNC party card, which was the ruling party at that time?

Captain Gouveia: I would have no idea about that because where I came from was absolutely unknown and I was in the National Service planting cotton, cleaning toilets, picking cotton and my family had migrated to Canada and I had no party card but I was a young man who was very determined to try to make a difference, but I had no party card.

Mr. Bond: Now, you were a part of a batch of 12 as I understand your evidence to be.

Captain Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Bond: Did you have any conversations with the other 11 as to whether or not they may have had party cards at the time when you were granted these scholarships?

Captain Gouveia: No, there might have been people or my colleagues, whose parents would have been probably close to the administration but in mass I believe there were two women who trained alongside myself Beverly Drakes and Cheryl Moore who were Army officers and they are wonderful Pilots and all the others were young people like myself and we did not discuss politics.

Mr. Bond: Would you then say that the scholarships that were awarded were based on performance as opposed to connections?

Mr. Chairman: I am not clear what he is saying. He mentioned two ladies, Drakes and Moore, what did he say about them?

Mr. Bond: He was distinguishing them as far as I understand.

Captain Gouveia: I was saying that they were Army Officers and ...

Mr. Chairman: But the question had to do with party cards.

Captain Gouveia: Right.

Mr. Chairman: Do you know whether they had cards?

Captain Gouveia: No.

Mr. Chairman: Or whether their family members were supportive of the Party?

Mrs. Samuels-Brown: His answer was their parents would have probably been close to the party but he did not know himself whether they carried party cards and they did not discuss that. Is that what you were saying?

Mr. Chairman: Yes but why are you saying "would probably"? You either know it or you did not know it. Were their parents close to the Party?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Well, the question was if people who got the scholarships had party cards. All of us were young people at the time and I do not believe that my colleagues had party cards, I do not know that. I really do not know that. I know that maybe their parents and I knew, for example, one colleague of mine whose parents were close to the Administration, but whether they held a party card, I do not know that.

Mr. Chairman: Yes, but I had asked you about the two that you had identified.

Captain Gouveia: Yes, because they were serving Military Officers, they were both women and they never struck me as political... We never discussed politics.

Mr. Chairman: But you were dealing with their parents.

Captain Gouveia: Yes, but I really do not know that, Sir.

Mr. Bond: Your answer, if I understand it correctly, is you do not know whether or not their parents were Members of the Peoples National Congress.

Captain Gouveia: No, I do not know that but I know that I was not.

Mr. Bond: The other question is, did you see or observe when you came back to serve in the military, see or experience, political interventions not in your duties because you said clearly not in your duties... but did you see evidence of that around you?

Captain Gouveia: No.

Mr. Bond: Thank you, Sir. The color of the aircraft that you flew... What was the color of it, if you remember?

Captain Gouveia: Yellow, some of you might call it gold.

Mr. Bond: Gold and all the other aircrafts that the Guyana Defense Force had at the time were yellow in color.

Mrs. Samuels-Brown: ...or gold.

Mr. Bond: ...or gold.

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: They had five fix wing aircrafts, the Islanders that were gold. You had the Presidential aircraft which was white and blue, I believe it was, which is a King Air, Beachcraft, and you had the helicopters which were also gold.

Mr. Bond: From your evidence during the period June 1980 you described that there may have been multiple flights not by yourself only but by other pilots to other interior locations, is that correct?

Captain Gouveia: Absolutely.

Mr. Bond: Is it correct also that the other interior locations would include Kwakwani, for example? Is it possible... I know it is possible now but was it possible at that time that multiple flights would go to Matthews Ridge, Mabaruma, Tacama, Kwakwani on that particular day, within that time span, go to the same location, is that possible, Sir?

Captain Gouveia: Absolutely and just for the record, I will say to you that we went to Kwakwani quite often, even before and after the incident because it was the mining town of Kwakwani and we flew there constantly.

13.18hrs

Mr. Bond: I was getting to that, Sir.

Mr. Gouveia: ...constantly.

Mr. Bond: Is it then therefore possible, we are exploring possibilities, that...

Mr. Chairman: Are you sure you want to be a vague as possibilities?

Mr. Bond: I did not hear you, Sir.

Mr. Chairman: Are you sure that you want to be a vague as possibilities? That is very vague you know.

Mr. Bond: If I may, Sir, the Witness, because of his memory, I do not want to tie him down whether there was or there was not because of the 34 years that have elapsed. I am just being fair to the Witness, Sir.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: I do not think you are following me. You proceed.

Mr. Bond: Thank you, Sir.

Mr. Chairman: It is too vague when you speak of possibilities.

Mr. Bond: I will take your advice, Sir. Let me rephrase it. In a different way, Sir, do you have knowledge of whether there was another flight or there were other flights to Kwakwani? Do you have knowledge of whether there would have been other flights to Kwakwani during that same that same period of 14th June - 17th June?

Mr. Gouveia: It is possible, but I do not know.

Mr. Bond: Other question, Sir. The town of Kwakwani at that time was a mining hub?

Mr. Gouveia: Absolutely, yes.

Mr. Bond: Therefore, you would agree with me that the frequency of flights as you just described... There would have been persons seeing passengers disembark, Military personnel, regularly in Kwakwani?

Mr. Gouveia: There would have been regular flights to Kwakwani...

Mr. Bond: There would have been interaction. I mean interaction with members of the...

Mr. Gouveia: Yes.

Mr. Bond: ...at the airport, at the airstrip, sorry.

Mr. Gouveia: There would have been regular flights to Kwakwani, but there would have not been, in my recollection regular interaction with the Military, other than with the Military Pilots when we landed, but in terms of having... Like if you went to Matthew's Ridge, there are Military people on the ground at Matthew's Ridge. If you went to Kamarang, there are Military people on the ground at Kamarang as well, they were in the community. At Kwakwani there were no Military people on the ground at Kwakwani.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Bond: Thank you, Sir. When you land at Kwakwani as a Pilot...

Mr. Gouveia: Yes?

Mr. Bond: ...do you go and report, for example, at a station, check in at a station, "I arrived here at this particular time?" Do you have a station you go and report to on arrival at Kwakwani?

Mr. Gouveia: No. The Police or the security on the runway would come to the aircraft and sometimes would take the Pilot's name and the aircraft registration, and it happens all over the Hinterland of Guyana so when the planes land, the Police or whoever the designated officer is, will come to the aircraft and get the Pilot's name and the passengers who come into the Hinterland.

Mr. Bond: On the flight of the 14th...

Mr. Gouveia: Yes?

Mr. Bond: ...did you give your name to a Police Officer?

Mr. Gouveia: No. Nobody approached the... If they come they come but... If they came we would talk to them. If they do not come we just continued our operations

Mr. Bond: From a civilian perspective the period of 1979-1980, would you consider in that period having...? Does any of the political maneuvering remain in your memory from that period 1979-1980? Do you know who the major players were, the leaders, the main Parties? Do you have a recollection of anything of that sort during that period?

Mr. Chairman: Could you be more specific?

Mr. Bond: For example, do you know who the leading Political Parties were in the period 1979-1980, the main Political Parties?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Gouveia: I know that the PNC had formed the Government and they were the Government of the day. I know the People's Progressive Party (PPP) was the Opposition and I was conscious of the evolution of the WPA as well.

Mr. Bond: In your estimation would you consider...? You knew that Dr. Jagan was the Leader of the People's Progressive Party/Civic, that is general. Would you consider Dr. Jagan to be in the forefront of the political challenge to Linden Forbes Sampson Burnham and the PNC/R.

Mr. Gouveia: Actually, from where I sat, it seems Cheddi Jagan and Forbes Burnham, had a healthy respect for each other. Every time, I ever saw the engagement between the two gentlemen, as a young Army Officer, there were a few times we did see the connection between the two men, there seem to have always been a healthy respect for each other.

Mrs. Samuels-Brown: I am sorry did he ever meet any of these gentlemen? Did he ever speak to them?

Mr. Gouveia: When I flew them out, Ma'am, yes.

Mrs. Samuels-Brown: The Leader of the Opposition and the Leader of Government...?

Mr. Gouveia: No.

Mrs. Samuels-Brown: ...apart from when you flew them?

Mr. Gouveia: No.

Mrs. Samuels-Brown: Okay, thank you.

Mr. Bond: Dr. Cheddi Jagan was the Leader of the Main Opposition Party at the time, is that correct?

Mr. Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Bond: And as we understand politics, he was the most poised to assume the reigns if there was an election called, say for example, in 1980. I am asking you, Sir, who do you think would have been in the forefront of the challenge? Who would have been...

Mr. Jairam: Mr. Bond. Mr. Bond how does the... I am paying keen attention to your questions, how do they relate to our Terms of Reference?

Mr. Bond: In terms of the political state, Sir. In terms of the political state of the country at the time between 1979 and 1980, at the time of Dr. Walter Rodney death, I think there have been theories proffered that he was a major threat to Burnham as most of the witnesses said. In my question, I am trying to, I do not know if I should tell you, but I should be frank with the Commission, is to ascertain who really from this witness's perspective would have been the true threat to Linden Forbes Sampson Burnham, if there ever was a threat, Sir.

Mr. Jairam: I do not think you were here from the beginning and throughout the hearings. I have not formed a view, but I have not heard any witness implicate Dr. Jagan in anything as yet. You are free to remind me. Is that your theory?

Mr. Bond: No, not physical threat, Sir. In terms of competitive politics, in terms of assuming the reins of Government through elections, Sir, the main Opposition party in terms of if... There are two Parties competing...

Mr. Jairam: Would you be calling witnesses at all?

Mr. Bond: Our Party would be calling witnesses, Sir.

Mr. Jairam: You will be calling witnesses?

Mr. Bond: Yes, Sir.

Mr. Jairam: Okay. Proceed.

Mr. Bond: Along the same line, Sir?

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairam: Let us see how far you go.

Mr. Bond: Thank you, Sir.

Mr. Gouveia: May I, again from the context of my age and position at the time, I knew that Forbes Burnham and Cheddi Jagan were the two stalwarts or leaders in Guyana at the time and that if it was not Forbes Burnham it was going to be Cheddi Jagan and in fact, many of us hoped it was going to be both of them together.

Mr. Bond: Thank you, Sir. Just two more questions, Sir. From 1980, you said you would have known of Major General Norman McLean to date and you would have had conversations with Major General Norman McLean. Did he at anytime indicate to you that he was under pressure or the directorate of the ruling Party during the period of his stewardship of the Military?

Mr. Gouveia: No. I have never... because of the difference and the span of where we sat in the Military, he was widely divided from me. I did observe one time an event where I thought that I saw him for the first time as a young army officer was moved and – if I want to use the word “anomaly” – it was another time that I saw an anomaly and I will tell you when it was. After Anwar Sadat was shot in Egypt, Forbes Burnham got very concerned about his own Military and many times when we would go on street marches, the Presidential Guard would come into the Military ranks and empty our weapons, empty our bullets into brown paper bags and the Army was extremely peeved on this matter, and it was the first time I saw Major General McLean because again, standing from where I sat, watching at him talking to senior officers, I could see aggravation. I could see they were not very pleased with what was happening at the time. That is the only indication I ever had with the General at the time.

Mr. Chairman: What did the Army have to do? I lost that along the way. After the parade they would have to empty the guns...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Bond: The Presidential Guard emptied the guns of the persons on the military parade. Was that a symbol of distrust? You looking at such an incident, would you say that that was a symbol of distrust between the Presidential Guard and the Military band of parade there?

Mr. Gouveia: Yes. It was significant that it happened after Anwar Sadat was shot because he was shot by his own Military. I do not believe Forbes Burnham was under threat by his Military.

Mrs. Samuels-Brown: Anwar...?

Mr. Gouveia: Anwar Sadat.

Mr. Jairam: What jurisdiction the Presidential Guard had over the Army?

Mr. Gouveia: None.

Mr. Chairman: But the guard...

Mr. Jairam: Sorry Chairman, but the army permitted the Presidential Guard to empty their weapons?

Mr. Gouveia: The President was the Commander-in-Chief and his Presidential Guard was instructed by him, I would imagine which would have come down through the ranks because all of us complied. I do not think we complied willingly because I do not believe at the time the army that I knew would ever pose a threat to the Government of the day.

Mr. Jairam: May I conclude it by asking you this; now 34 years after, would you agree with that procedure...?

Mr. Gouveia: No.

Mr. Jairam: ...that the Presidential Guard could direct the Army what to do?

Mr. Gouveia: No. Actually those were some of the things I believe as we look back on time... I will say here, 34 years down the road here, I would have to say that the struggle and the effort of the WPA and what they were trying to fight for would have been a just cause.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairam: A just cause?

Mr. Gouveia: A just cause and they were fighting to ensure that freedoms of expression, freedoms of elections were fair and free and every citizen had the right and so when I look back today on that time, I would say that the cause was a just cause. The methodology may have been flawed, but from where I stand and my own training when I look back at it, I would say that the methodology and I know in this world there are three types of power – there is soft power, hard power and smart power – and I believe when you do not have the might you exercise smart power and I do not think they did that at the time, but in the context of today, I believe that the Presidential Guard was out of order to have done what they were doing but it was obviously with the presidential instructions.

Mr. Chairman: I am more concerned with what they did with the bullets when they took them out of the...

Mr. Gouveia: I was too junior to know, Sir. Actually you know I always taught about it.

Mr. Chairman: What I mean is, did they take them away?

Mr. Gouveia: Yes.

Mr. Chairman: Okay.

Mr. Gouveia: But I...

Mr. Chairman: That is enough.

Mr. Gouveia: Okay, yes, thanks, sorry.

Mr. Bond: One question on the same issue, the Presidential Guard is responsible for the safety of the President?

Mr. Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Bond: If the president's safety was at risk would you consider the actions of the Presidential Guard, if he were to be acting on information, that his safety, the life of the President was at risk, do you not think the actions of the Presidential Guard to disarm every man, woman and child that day to be reasonable to protect the life and safety of his Excellency the President?

Mr. Jairam: Cancel the Parade.

Mr. Gouveia: I would cancel the parade.

Mr. Jairam: Cancel the Parade, Mr. Bond.

Mr. Gouveia: I would cancel the parade. I would never undermine the authority and dignity of Military Officers by having Presidential Guards remove their bullets from their weapons. That was not dignified for them to do it through...

Mr. Bond: Even if the threat was immediate?

13.33hrs

Captain Gouveia: The President was not there. We were in front of Ayangana –look, it was wrong. I hope we never ever go back there. I just want to make that point, and I do not think you would ever want to go back there, either. We are on a new dispensation of a new Guyana.

Mr. Bond: I was born in 1979, so...

Captain Gouveia: Thank you very much.

Mr. Bond: ...pathetic, I was there. Moving onto another issue, Sir. I have heard your testimony on maybe that you flew Gregory Smith. In identification, would you say that you were mistaken, in terms of not being able to properly identify the passengers of your plane?

Captain Gouveia: Could you repeat the question, please? Sorry.

Mr. Bond: The passengers of your plane, on 14th June, 1980; would I be correct to say that you were mistaken as to the identities of the passengers?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: I never purported that I could identify the passengers. I did say that I saw the photographs a couple days after in the newspapers, which I believed matched the description of the man who was in my plane, but I cannot 100 per cent confirm.

Mr. Bond: That is exactly what I am saying. Even after you saw the picture – you did not see it anywhere here - in the newspapers; I am suggesting to you, Witness, that you could have mistaken. Even at that time you were saying it was Tom Jones, or Jennifer John...

Captain Gouveia: I think that is what I said. I am not disagreeing with you.

Mr. Bond: ...that you could have been mistaken as to the identity of the said person that you saw and thought you had seen.

Captain Gouveia: Mr. Bond, I did describe it as an anomaly, and I saw the picture, and I felt the anomaly, and I connected the two...

Mr. Bond: And you could have been mistaken?

Captain Gouveia: I could have been mistaken, but I do not think I was.

[Laughter]

Mr. Bond: I must say that...

Mr. Chairman: And he could have been mistaken... you again talking about possibilities?

Mr. Bond: I did not hear you, Sir.

Mr. Chairman: You are again talking of possibilities?

Mr. Bond: The accent, Sir, I did not get you clearly, Sir. Forgive me, Sir.

Mr. Chairman: You are saying that he could have been mistaken. You are again speaking of possibilities? That was an expression of yours?

Mr. Bond: No, my particular expression this time around was mistaken identity, Sir. I have not gone to who it possibly might have been; but as to the identity directly, I am suggesting to the Witness that when he looked at the newspaper clipping, that even at that stage in 1980, a week

WALTER RODNEY COMMISSION OF INQUIRY

and a half after, he was mistaken as to the identity. He could have been mistaken as to who this person was, or if he was indeed a passenger on my plane.

Mr. Chairman: All I was asking you: is whether what you are putting to him could have possibly have been mistaken.

Mr. Bond: I could use that word if the Chairman is comfortable.

Mr. Chairman: No, it is not a question of my comfort. I want to know what you are putting to him.

Mr. Bond: Particularly, that he was looking at the newspaper clipping a week or so, after 14th June, 1980, you could not be sure that this is the man that I flew.

Captain Gouveia: You are right.

Mr. Bond: Thank you, Sir. That is it for me, Sir.

Mr. Jairam: That is it?

Mr. Bond: Yes, please, Sir.

Mr. Chairman: Thank you. Who goes next?

Mr. Hanoman: If I may, I am sorry to interrupt. It strikes me that the private log book or the original logbook that has been brought is a very important document, and I do not think it has been properly tendered. If in no objections, I would like to ask permission for all the flights in relation to May, June, and July to be photocopied during the questioning so that we can actually have those photocopies tendered. Appended to the statements are some snippets of that logbook, but I prefer to have a more holistic....

Captain Gouveia: All of the flights done in 1980, all were photocopied; all of the flights.

Mr. Hanoman: No, what were given to us and what we have available to us, I believe are only snippets in relation to June, and so on.

Mr. Kissoon: Forgive me; the entire of 1980 was produced... *[Inaudible]*

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Hanoman: Well, I was not aware of that. We are still left with the issue that perhaps this book; these copies should be tendered into evidence.

Mr. Kissoon: *[Inaudible]*

Mr. Chairman: That is the June statement, not the May statement?

Mr. Kissoon: The final and only statement dated 15th June, 2014 has the copies of the entire 1980 from the log book that had been tended. I believe it has been admitted by the Commission and the veracity and exactness of the copies of the logbook that was attested to in the statement. With that said, if the Commission would like to make an independent copy of the log book, we are more than happy to accommodate for that purpose; but it has been admitted as Exhibit 'A'. to just aide the Commission, perhaps I can give Counsel Hanoman a complete copy of what has been admitted for him to take a second look.

Mrs. Samuels-Brown: I have something which starts on 3rd February, there is one entry before that, and it ends in December of that same year. In fact, it goes to 4th January, of 1981. So, it seems to be –if we could just compare it with the original document. I assume when we admitted the statement in evidence we admitted the document which was appended to it marked “Exhibit A”. Just to be clear. Thank you, Counsel.

Mr. Kissoon: You are welcome.

Mr. Chairman: Counsel, we do not want to have more documentation than is necessary. We have already generated considerable documentation. If you have the relevant period –February 1980 to December end, you may not need any more. So, just check in...

Mr. Hanoman: Yes, I am satisfied with what I have here. I never saw this whole thing before.

Mr. Chairman: So, you are withdrawing your request, or rather not...

Mr. Hanoman: I am wondering if it makes sense to make this a sort of separate exhibit.

Mr. Chairman: But it came in as part of –it was an attachment to the witness statement...

Mr. Hanoman: Very well.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: ...and we received the witness statement with the attachment into evidence...

Mr. Hanoman: As it pleases you.

Mr. Chairman: You are suggesting we need to divide the statement?

Mr. Hanoman: Not necessary, Mr. Chairman.

Mr. Chairman: Okay, I take it you are not pursuing that?

Mr. Hanoman: No, I am not.

Mr. Scotland: Mr. Chairman, may I comment?

Mr. Chairman: Yes, you are right at the crease at what, 12:40?

Mr. Scotland: I will be the night watchman.

Mr. Chairman: 13:40?

Mr. Scotland: Yes, indeed. I will try to be within the time.

Mr. Chairman: Okay, but at the same time do not move fast, so that we can follow you.

Mr. Scotland: Indeed.

Mr. Chairman: Alright. Please proceed.

Mr. Scotland: Mr. Gouveia, is it true to say that the passengers that you picked up on the 14th June, 1980 at Timehri, that was a Military base?

Captain Gouveia: Yes.

Mr. Scotland: Pardon me?

Captain Gouveia: Actually it was not a Military base.

Mr. Scotland: What was it?

Captain Gouveia: Timehri is an International Airport.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Scotland: So was it at the...

Captain Gouveia: The hangar was an annex inside of the International Airport.

Mr. Scotland: And that was controlled by the Military?

Captain Gouveia: The Military, yes.

Mr. Scotland: Therefore, you needed clearance to be in that part...

Captain Gouveia: You are correct.

Mr. Scotland: ...so whoever you picked up and dropped to Kwakwani would have had to receive clearance...

Captain Gouveia: That is correct.

Mr. Scotland: ...to be there.

Captain Gouveia: That is correct.

Mr. Jairam: Clearance from whom?

Mr. Scotland: Clearance from whom?

Captain Gouveia: The Commanding officer of the Air core, the OC of the Air core...

Mr. Scotland: What is the OC, the Officer-in-Charge?

Captain Gouveia: There is an officer commanding, and then there is a commanding officer.

Mr. Scotland: And in addition, not to just be there, but for you to fly those persons acting under orders –as you would have said- that would have by necessity, have to receive the sanction of the Military...

Captain Gouveia: That is correct.

Mr. Scotland: ...to fly the persons...

Captain Gouveia: That is right.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Scotland: ...who you did fly had received the sanction of the Military. When we say the “sanction” we mean the commanding heights of the military –people above you.

Captain Gouveia: Absolutely.

Mr. Scotland: You agree with me that Major General McLean, at that time was above you and in charge of the GDF?

Captain Gouveia: Yes.

Mr. Scotland: You were asked by my learned Friend, Mr. Bond, whether or not you could have been 100 per cent certain that the person whom you delivered to Kwakwani on the 14th was Gregory Smith, and you said you could not be 100 per cent sure. That would be, Sir, if your recollection was taken in isolation. You would agree with me?

Captain Gouveia: Yes.

Mr. Scotland: You, my learned Friend, Mr. Pilgrim, have read to you evidence of civilian and Police Officers who confirmed that the person who arrived at Kwakwani, at the time that you would have arrived on that flight was Gregory Smith.

Captain Gouveia: Correct.

Mr. Scotland: So then, it would be true to say that when you combine both your analysis, your interpretation of the photograph and the person, and the witness, the report of Avril Bourne, Joel Southwell, and Anita Thom; the person that you dropped at Kwakwani from Timehri, was Gregory Smith. When you combine both, your recognition and the recognition of those persons whose evidence were read to you?

Captain Gouveia: You are right. If you take the information and process it in intelligence, the intelligence would probably say, yes it is Gregory Smith, yes.

Mr. Scotland: It is Gregory Smith, yes. I just want to find out from you, I have looked at your log; if you are going from Timehri to Kwakwani and Tacama, which destination you are arriving at first; Kwakwani or Tacama

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Sorry, I do not understand the question?

Mr. Scotland: You are flying from Timehri, a normal flight; would you arrive at Kwakwani first, or Tacoma first?

Captain Gouveia: Tacama first.

Mr. Scotland: Tacama first?

Captain Gouveia: Yes.

Mr. Scotland: Could you take a look at your log for the 14th and the 17th? You were asked again by my learned Friend, Mr. Pilgrim how long it would take to fly from one –what is the distance by air. Am I correct to say on 14th June, if you look at the log, it took you 49 minutes to fly from Georgetown to Kwakwani, yes, but on the 17th June, it took you 47 minutes to fly from Georgetown to Tacama, correct?

Captain Gouveia: Right.

Mr. Scotland: So really, if I am to do the Mathematics, the distance in air would be about two minutes? If we take this flight record which you say is accurate...

Captain Gouveia: Do you understand the geography?

Mr. Scotland: No, that is why I am asking.

Captain Gouveia: Okay. The geography is in different distance, while in Timehri to Tacama – and that is why I said if he will find it on his Ipad...

Mr. Scotland: We will try to find it. We could move on from there. I just want to...

Captain Gouveia: Anyway, they are in two different directions...

Mr. Scotland: Right.

Captain Gouveia: Even though you would go similar distances than the connections back to the places is where the difference would hike.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Scotland: But whatever it is, it is not a far distance?

Captain Gouveia: No.

Mr. Scotland: Two to ten minutes, that is what I wanted get.

Mr. Chairman: Apparently by plane it is a two minutes difference?

Captain Gouveia: Kwakwani by plane from Georgetown is 49. Tacama by plane from Georgetown is 47, based on his record.

Mr. Chairman: Two minutes difference.

Mr. Scotland: That is what I would...

Captain Gouveia: Right. But if you went from Tacama to Kwakwani, you are looking at about maybe 10 minutes.

Mr. Scotland: Maybe 10 minutes.

Captain Gouveia: Yes, something like that.

Mr. Scotland: Right, so I do not quibble for eight minutes.

Captain Gouveia: I understand.

Mr. Scotland: Now, when you gave your evidence, you indicated that no one ever approached you relative to your flying –who we have now confirmed Gregory Smith, on the 14th of June- do you recall ever being questioned at the time by these Army Officers? Mr. Chairman, fellow Commissioners, may I, respectfully, the Commissioners to the evidence of Thursday, 5th June, 2014 from pages 1 ...

13.48hrs

Mr. Chairman: Whose testimony is that?

Mr. Scotland: The testimony of Major General (Ret'd) McLean and it is on the question of who in the GDF he commissioned to assist with the investigation. Now the brief context is as

WALTER RODNEY COMMISSION OF INQUIRY

follows and I am taking you back in real times, in real times you came to realise sometime in 1980 that the person Gregory Smith was flown by you from Georgetown to Kwakwani. You would have known then that his name was implicated as a person who supplied explosive well implicated in the death of deceased Dr. Walter Rodney.

Captain Gouveia: Yes.

Mr. Scotland: Were you aware of Colonel McPherson and Major Lewis? Mr. Chairman, I am at page 121 lines 10, middle of the page. Were you aware that there was an investigation in the Army being conducted by coronal McPherson and Major Lewis?

Captain Gouveia: No.

Mr. Scotland: Would you confirm that in June 1980 both Colonels they were in fact the physical existence of coronal McPherson and Major Lewis who were at that time members of the GDF?

Captain Gouveia: I do not know Major Lewis, but I know coronal McPherson.

Mr. Scotland: And just as you have produced and commendably so your log book you have told Madam Commissioner and the Chairman that there is a passenger manifest that would be kept in the Army of the persons flown on a daily basis. Yes?

Captain Gouveia: Yes.

Mr. Scotland: So therefore it would then be that an investigation is being conducted, not you because you have not known as yet, but Colonel McPherson would have, at least, be able to consult the passenger manifest to see who was in fact flown.

Captain Gouveia: If the investigation was focused on the aviation part of it, absolutely.

Mr. Scotland: All is well. Let us go back to the other part. You would agree that you would have known at the time that initially the Army, as Peter, denied the existence of Gregory Smith as a serving member of the Army.

Captain Gouveia: Sorry.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Scotland: Initially, when the reports of Gregory Smith first came out, the Army via its representatives denied the existence of Gregory Smith as someone being...

Captain Gouveia: I read that in the papers afterwards you are correct, yes.

Mr. Scotland: And then it came to light when, as we in Trinidad say, '*water more than flour*' you cannot deny the existence because everybody knows. The Army had to confirm, in fact, that Gregory Smith existed.

Captain Gouveia: Okay.

Mr. Scotland: No one neither Colonel McPherson nor Major Lewis ever contacted you, relative to your involvement in flying Gregory Smith from Timerhi to Kwakwani.

Captain Gouveia: Let me just say to you, this is the first time that I am hearing that, but Colonel McPherson

Mr. Scotland: Pause this is significant. You are saying to this Commission that this is the first time you are hearing that Colonel McPherson and Major Lewis were involved in any investigation into Gregory Smith and his involvement?

Captain Gouveia: That is correct.

Mr. Scotland: First time. Were you aware that the Army was assisting the Police in the investigation?

Captain Gouveia: No.

Mr. Scotland: So then it is true to say that in real time that neither Colonel McPherson nor Major Lewis ever contacted you about your flying Gregory Smith from Timerhi to Kwanani.

Mr. Gouveia: They have never contacted me.

Mr. Scotland: Did anyone contact you relative to the passenger manifest because I know you would have to sign it off.

Captain Gouveia: Correct.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Scotland: Your signing off the...

Captain Gouveia: Actually I do not sign the manifest, I sign the load sheet.

Mr. Scotland: The load sheet, with your signing the load sheet of the 14th of June, 1980, did anyone contact you relative to that?

Captain Gouveia: No.

Mr. Scotland: And as far as you are concerned, that was never investigated by members of the Army?

Captain Gouveia: No.

Mr. Chairman: Now what is the relevance of the load sheet? Would the load sheet tell you anything about who the passengers were?

Mr. Scotland: Would the load sheet tell you who the passengers were.

Captain Gouveia: No, it is just deals with the weight distribution...

Mr. Scotland: I am talking about the passengers manifest.

Captain Gouveia: That is the passenger manifest, correct. You were right about the passenger's manifest.

Mr. Scotland: I know, but I take your answer. I try to be faithful to my time.

Captain Gouveia: Could I just say, Sir, if you need me, my flight is running a little bit late and in fact, we can go on a little longer if you wanted to. The flight is arriving at four and I have a plane at Ogle. So from here, I will go and fly up to Timerhi so we have some time, it is alright if you want to go on.

Mr. Chairman: No, we had promised to accommodate you. It is still about what ten to?

[Inaudible]

Mr. Scotland: I he does not need to leave at two, I will get little extended play, if necessary.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: You have what; you say you have two more questions?

Mr. Scotland: If you want me to I can ...

Mr. Chairman: No, I do not want to rush you. It is important that we get this right at the same time having made the commitment to him; we do not want to disadvantage him.

Mr. Scotland: He has just reneged on the case just now.

Mr. Chairman: Are you suggesting that you are disadvantaged?

Captain Gouveia: I could stay here until 2:30, Sir.

Mr. Chairman: Okay, we will go a little longer.

Mr. Scotland: Much obliged. But I will only take as long as I need.

Mr. Chairman: Okay.

Mr. Scotland: So tell us, then it would mean then as far as you are concerned, you were never approached by either Colonel McPherson, I am talking about then, or Major Lewis about assisting the Guyana Defense Force relative to the whereabouts or the transporting of Gregory Smith.

Captain Gouveia: Never did.

Mr. Scotland: Although Gregory Smith's transportation in and of itself was something that would have been sanctioned by the hierarchy of the Guyana Defense Force.

Captain Gouveia: Yes.

Mr. Jairam: Captain Gouveia on a point of clarification, in those days, were passengers required to produce a photo identification before they were transported?

Captain Gouveia: No.

Mrs. Samuels-Brown: Internal *[inaudible]*...

Captain Gouveia: No, we do it now Madam, we never used to do it back then.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairam: So there was no way of telling if a person who says, I am John Brown that, that person was in fact John Brown?

Captain Gouveia: That is correct; and could I just say the reason we started doing it we had some people boarded the plane and hi-jacked the plane from Guyana and took it to Brazil and after that, we started to ensure every passengers were showing there identification cards and passports. Before that, we deemed it as domestic travel and now there is a lot more security involved and passenger going on the board the planes.

Mrs. Samuels-Brown: You are talking about civil aviation requirements?

Captain Gouveia: Yes.

Mrs. Samuels-Brown: The Army would have established its own rules according to what....

Captain Gouveia: That is correct yes.

Mrs. Samuels-Brown: Necessary in the circumstances.

Captain Gouveia: That is right.

Mrs. Samuels-Brown: Thank you.

Mr. Jairam: How long ago was that?

Captain Gouveia: The hi-jack?

Captain Gouveia: About eight or nine years ago.

Mrs. Samuels-Brown: You would expect that the Army, being a Military organisation would take the proper precautions to establish the identities of persons of whom it was dealing.

Captain Gouveia: Actually, from where I sat, we at that level, did not do the due diligence and...

Mrs. Samuels-Brown: I do not mean you, but the Army, the security organisation, is a Military organisation you would expect it to take the necessary precaution.

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Yes.

Mrs. Samuels-Brown: Even for you own protection as a junior officer.

Captain Gouveia: What would happen, people would come into the hanger and they would have already been cleared, the Attorney said by higher... so when... at our stage, if we were given any instruction, we would fly them. But you are very right that the Military would have done its due diligence.

Mrs. Samuels-Brown: Thank you.

Mr. Chairman: Were the passengers that you were transported on the 14th June, 1980, were they cleared?

Captain Gouveia: I do not know, Sir, I would have to assume they were because they were in the hanger; they were in the facility.

Mr. Scotland: So let me get this clear. For them to be in the hanger, they had to be cleared by... and there is no doubt in your mind about that?

Captain Gouveia: Yes.

Mr. Scotland: Well good, Mr. Chairman, I move on from that, they were cleared?

Mr. Chairman: They were cleared? But he is making assumptions.

Captain Gouveia: That is an assumption.

Mr. Chairman: He assumes so.

Mr. Scotland: Sir, let me deal with this assumption for the purposes of this record. Your assumption is not based on plucking this idea out of the air; it is based on reality of what existed in June, 1980 at the time at Timehri. Is not that so?

Captain Gouveia: Yes.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Scotland: And the procedure you would have follow and you said it, as day to day procedure, would have meant that those persons coming on that plane, as an official order for you, that would have been cleared.

Captain Gouveia: Correct.

Mr. Scotland: Correct and just to cinch the area, that was your first flight for the morning.

Captain Gouveia: That is correct.

Mr. Scotland: So whoever... Gregory Smith, that you were transporting that day, that was a priority, first flight out.

Captain Gouveia: Correct.

Mr. Chairman: You are ignoring the likelihood of exceptionalism, anyhow you go ahead.

Mr. Scotland: Let me ask you a question posed to Major General (Ret'd) McLean by the Chairman on the 5th June. The Chairman asked him...

Mrs. Samuels-Brown: Could you assist us with the page?

Mr. Scotland: Page 119 and it was a question participated by learned Friend, Mr. Pilgrim, and then crystallised by the Chairman.

Mrs. Samuels-Brown: I just needed the page Counsel, thank you.

Mr. Scotland: Now, "I am not trying in any way to personalise it at all, trying to take my view out of it. Did your position if Gregory Smith was involved in this matter, and he was being flown around by people from the GDF, that you would have no responsibility". Major General (Ret'd) McLean answered, "Look at all the assumptions. Mr. Pilgrim: He says look at all the assumptions. Mr. Chairman: Alright, I think you ought to answer the question directly, Major General, I think you need to answer the question directly because a lot of what was being presented to you is reflect on what is before us and shortly to be made public, so you proceed on the premise for a moment that the GDF aircraft transported Gregory Smith." He answered: "Do

WALTER RODNEY COMMISSION OF INQUIRY

we have evidence of that?” and the Chairman: “Proceed on that basis that is the evidence. What is your reaction in the circumstances? And he asked... investigate... Mr. Pilgrim says, “yes”.

Now, that has read to you and you have come it is no longer an assumption that it was Gregory Smith was flown on that plane, is it not it?

Captain Gouveia: I would say so.

Mr. Scotland: Now we take issue. You have said repeatedly that the circumstance of the statement made by Donald Rodney in his report was unimpressive. Now I know you choose your words very carefully, what statement in particular did you have in your bosom in your possession by Donald Rodney?

Captain Gouveia: Well I read the interview that he did and I believe it was a *Caribbean News Agency*, a couple of days after.

Mr. Scotland: A couple...

Captain Gouveia: Couple days after.

Mr. Scotland: Yes.

Captain Gouveia: Describing the events of the 13th.

Mr. Scotland: But tell me...

Captain Gouveia: Yes.

Mr. Scotland: Thanks.

Captain Gouveia: And when I read what he was saying, it struck me why would his brother who is the leader of this political movement, he was the chief... take his brother with him in the middle of the night into some back road in Georgetown, it did not make sense to me... can I just finish?

Mr. Scotland: Go ahead; I am just getting the three aspects...

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: ...so it did not make sense to me that this man was the Head of this political movement that was obviously getting more and more militant would go himself for this... so to speak, so when I was reading that and I could go on and on. It was not impressive to me because of a man of Walter Rodney intelligence and intellect and international... I could not believe that he did not know how to test a walkie-talkie.

Mr. Scotland: You have made several assumptions. The first one in the middle of the night you would know Sir, that Dr. Rodney died around 20.15hrs so that is early evening, not even night, night begins at 21.00hrs, hold on, you will give me that, you conceive that.

Captain Gouveia: Yes.

14.03hrs

Mr. Scotland: You would also concede, Sir, that it was not any back road but in fact, Broad Street, hold on, John Street which is a public road very close to the prison, you would agree with me so it was not a back...?

Captain Gouveia: It is my opinion, Sir. It is my opinion.

Mr. Scotland: I know I am just testing you. You mentioned my client and said he was unimpressive. I am just going through.

Captain Gouveia: Oh, he is your client. I did not know that, Sir, my...

Mr. Scotland: Hold on, I did not declare my interest this time but hold on. You would agree with me that that street was very close... The street John Street was very close to Dr. Rodney's home at the time?

Captain Gouveia: I did not know where he lived.

Mr. Scotland: But these things now if they come to your mind may change...

Mr. Kissoon: Commissioners, forgive me. Counsel, forgive me, again the question is simple, "what was the premise of Captain Gouveia's opinion?" and he has given it. It appears that

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia is now being challenged as to the factual circumstances of his opinion perhaps in an effort to change it. I am not sure the basis of his opinion had already been given. I am not sure we should proceed with this line of questioning. I defer to the Commission to be guided and will be guided.

Mr. Chairman: How far... *[Inaudible]*

Mr. Scotland: Pardon me, Mr. Chairman?

Mr. Chairman: How far are you taking it?

Mr. Scotland: I have already taken it as far as it can go. The factual basis has been eroded. I am ready to move on and the Witness has in fact conceded that the factual basis is different to the one he assumed.

Mr. Chairman: Please, move on.

Mr. Scotland: Thank you.

Captain Gouveia: Sorry what did I concede to?

Mr. Scotland: No. That the factual basis...

Captain Gouveia: Of what?

Mr. Scotland: Of it, one, not being the middle of the night; two, being a street very close to his home. That is all.

Captain Gouveia: No. You have to allow me to respond to you because you are saying that I concede.

Mr. Chairman: No, he was not dealing with you.

Captain Gouveia: I did not concede...

Mr. Chairman: He was dealing with the earlier evidence, other evidence, not yours.

Mr. Scotland: Not yours.

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Okay.

Mr. Scotland: I am moving on now.

Captain Gouveia: Okay, Sir.

Mr. Scotland: Now, you have told us that there was no investigation, as far as you know...

Captain Gouveia: Yes.

Mr. Scotland: ...by the army and, as far as you know, no persons in the Army assisting the Police and we are going back there in 1980 with their investigation.

Captain Gouveia: Yes.

Mr. Scotland: That will be so from your knowledge because you were a key person, with respect to Gregory Smith you were a key person? You have to say it, shaking the head would not get the answer.

Captain Gouveia: Oh, you are asking me if I was a key?

Mr. Scotland: Yes, you were a key person at least in transporting...

Captain Gouveia: Are you asking me in the context of now or in the context then?

Mr. Scotland: Then.

Captain Gouveia: No, I did not think so then.

Mr. Scotland: Alright, Mr. Chairman, may I just before I... I am on the homestretch now, refer to your Terms of Reference (iii) the last...

Mr. Chairman: Say publically what you are referring to.

Mr. Scotland: The Terms of Reference (iii): "to specifically examine the role, if any, which the late Gregory Smith, Sergeant of Guyana Defence Force, played in the death of Dr. Walter Rodney and if so, to inquire into who may have counseled, procured, aided and or abetted him to

WALTER RODNEY COMMISSION OF INQUIRY

do so, including facilitating his departure from Guyana after Dr. Walter Rodney's death". This witness is germane from the 'comma including'. May I continue please, Mr. Chairman?

Mr. Chairman: Yes, please.

Mr. Scotland: Sir, you have heard what I have just read here to you. You would agree with me and I have no reason to doubt that on the morning of 9.00 hours on the 14th June, 1980, that you were not aware, according to your evidence, of the death of Dr. Rodney on that morning, yes?

Captain Gouveia: Right.

Mr. Scotland: But you would agree with me that as far as the Terms of Reference of this inquiry is concerned and your evidence that you would have been a person, not wittingly, that would have transported or facilitated the departure of Gregory Smith from Georgetown to Kwakwani on the 14th June, 1980, at least to Kwakwani?

Captain Gouveia: Could I answer the question? You are asking the question. I asked you just now in what context, if you are asking me back then... If you are asking me today I will say to you 'you are very right'. I am a key person today, I understand that very clearly. Back then I did not know that so I just want to put that in perspective.

Mr. Chairman: That is the evidence, he did not even know on the 14th of Rodney's...

Mr. Scotland: He did not even know, right...

Mr. Chairman: ...of Rodney's death.

Mr. Scotland: Mr. Chairman, I was fair to him, I said that.

Mr. Chairman: Yes, you were.

Mr. Scotland: Now, in addition you cannot doubt that it was indeed a GDF plane that would have taken Gregory Smith from Kwakwani out of Guyana on the 17th as the three witnesses, who Mr. Pilgrim would have read to you have said?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: I have absolutely no knowledge.

Mr. Scotland: Now, tell us before June 1980, would it be true to say that as a member of the National Service that when you joined Major General McLean (Ret'd) was the head of that National Service in 1974?

Captain Gouveia: That is correct.

Mr. Scotland: And he would have been instrumental in having your scholarship executed to go to Embry-Riddle Aeronautical University to be trained as a Pilot?

Captain Gouveia: Absolutely not.

Mr. Scotland: So then when and if Major General McLean says “yes he was a product of the National Service as well. He was one who we sent to Embry-Riddle Aeronautical University to be trained as a Pilot”, what would you say to that statement?

Captain Gouveia: To make another statement.

Mr. Scotland: Pardon?

Captain Gouveia: To say this...

Mr. Scotland: No, I will give you an opportunity to say what you want to say. Answer this question, please.

Captain Gouveia: Okay, go ahead.

Mr. Scotland: What would you say to a statement, Commissioners, I am at page 111, lines one and two from the top, “yes he was a product of the National Service as well as he was one who we sent to Embry-Riddle Aeronautical University to be trained as a Pilot”, what would you say to that statement?

Captain Gouveia: I would say that I was one of a number of candidates that was selected from the National Service to go to a national pool, which McLean had nothing to do with. I was taken

WALTER RODNEY COMMISSION OF INQUIRY

from the National Service, there was pool of people who went to a national pool where people like Captain Malcolm Chanasue, Colonel Mekdeci did the selection process.

Mr. Scotland: This would not be a correct representation of what happened?

Captain Gouveia: That would not be a correct representation of the detail of what happened.

Mrs. Samuels-Brown: I am sorry could you assist me with the names of the persons who were responsible for the decision and you gave two.

Captain Gouveia: Right. When we are selected.

Mrs. Samuels-Brown: Just give me the names.

Captain Gouveia: Malcolm Chanasue was one on the interviewing panels.

Mrs. Samuels-Brown: Malcolm...?

Captain Gouveia: Chanasue.

Mrs. Samuels-Brown: Could you spell that?

Captain Gouveia: Sorry, Michael Chanasue.

Mrs. Samuels-Brown: Could you spell that?

Captain Gouveia: Captain Michael Chanasue. C-H-A-N-A-S-U-E.

Mrs. Samuels-Brown: Yes?

Captain Gouveia: Captain Spence, I think it was, and I particularly remember Captain Chanasue because when I came back to Guyana he was still the Commanding Officer of the Air Corps and some other senior Pilots and there were some people from the Public Service Ministry.

Mrs. Samuels-Brown: But the two main persons were Captain Michael Chanasue and Captain Spence?

Captain Gouveia: Guy Spence. That is correct.

WALTER RODNEY COMMISSION OF INQUIRY

Mrs. Samuels-Brown: They were members of the Army at the time?

Captain Gouveia: No, they were members of Guyana Airways and they were the panel that did the interview to make the final selection of the people who would have been selected to go.

Mrs. Samuels-Brown: I am sorry, when you were sent to this national pool there was some training or just selection?

Captain Gouveia: No. It was just a selection process.

Mrs. Samuels-Brown: Who selected you from the National Service to go to this...

Captain Gouveia: I was a Corporal in the National Service and I think they sent the memo out and they sent maybe ten of us from the National Service to this national pool and then three of us were selected.

Mrs. Samuels-Brown: Three from the National Service?

Captain Gouveia: From the National Service selected along with the other...

Mrs. Samuels-Brown: Thank you.

Mr. Chairman: What are you saying, that when you received the scholarship to go to Daytona Beach...

Captain Gouveia: Yes?

Mr. Chairman: ...Florida, to be trained as a pilot...

Captain Gouveia: Yes?

Mr. Chairman: ...that you were not at that stage in the Army?

Captain Gouveia: No.

Mr. Scotland: But from the Guyana National Service, you did go to the GDF, did you?

Captain Gouveia: As part of my contractual obligations, I was enlisted in the Army.

Mr. Scotland: In the army...

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Yes.

Mr. Scotland: At the time that you enlisted, when you were at the National Service, Major General McLean retired. He was the head of the National Service?

Captain Gouveia: That is correct.

Mr. Scotland: When you joined the Army, the GDF, Major General McLean was the head of the army?

Captain Gouveia: No. He was not.

Mr. Scotland: When did you join...

Captain Gouveia: Brigadier General Clarence Pryce was the head of the Army. In fact, he was not the Head. He was the Chief-of-Staff of the Army, but you had an Army commander which was Ulrich Pilgrim.

Mr. Scotland: In 1980, was Major General McLean not the Head of the Army?

Captain Gouveia: Yes.

Mr. Scotland: And at that time, you were also in the army?

Captain Gouveia: That is correct.

Mr. Chairman: Major General McLean might have had a hand directly in determining your scholarship. Other people might have assessed you but in the end, the head of the National Service had to determine or approve the list.

Captain Gouveia: I, at the time, had no relationship with Mr. McLean.

Mr. Chairman: That is not what I am asking.

Captain Gouveia: I am just saying that. Okay.

Mr. Chairman: But to the extent that it was a scholarship from the National Service...

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: It was not a scholarship from the National Service. It was a scholarship from the Government of Guyana.

Mr. Chairman: Yes but the agency that had to assess the persons and determine them, the choice of persons, was the National Service.

Mrs. Samuels-Brown: ...from the candidate from the National Service.

Captain Gouveia: I do not know who would have... Somebody would have done that selection from the National Service to send the ten of us from the National Service to the national pool.

Mr. Chairman: Whoever did it, they would have had to do it under his supervision and his approval. He was the man in charge.

Captain Gouveia: Correct.

Mr. Chairman: Yes. That is all that I think the Counsel was trying to establish.

Mr. Scotland: Mr. Chairman, thank you very much. Tell me did the Civil Aviation Department keep records or was it not obligated to keep records even of military flights?

Captain Gouveia: Yes. Air Traffic Control Services... You are right. You are correct, yes.

Mr. Scotland: They were supposed to and... Mr. Chairman, I do not know if those records... I heard about six months... but the Civil Aviation Department... Are they also required to dispose of their records within six months?

Captain Gouveia: I do not know that.

Mr. Scotland: Alright, that is different from the other one with the Army disposing of their records.

Captain Gouveia: I do not know that either.

Mr. Jairam: It is not a requirement. There is no obligation to keep them beyond six months.

Mr. Scotland: In the Civil Aviation...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairam: He did not speak about the requirement that you destroy them. There is an obligation that you keep them. I think they are two different things.

Mr. Scotland: They are two... Is there not a requirement, for instance, if something happens after and tell me if you know or if you do not, for the Civil Aviation Department to keep those records, just as you kept yours?

Captain Gouveia: Absolutely, but I do not know how long and I do not know where they keep them.

Mr. Scotland: You do not know how long. That is alright. Tell me...

Mr. Chairman: What would we need those records for now, given the state of the evidence?

Mr. Scotland: The state of the evidence will be needed for the flight on the 17th.

Mr. Chairman: Oh, as to whether where it went.

Mr. Scotland: Yes, and who fly it.

Mr. Chairman: But the fact that... to Kwakwani on the 14th does not...

Mr. Scotland: That is sealed. I am not attacking that at all.

Mr. Chairman: That is no longer in doubt given the test that we have to apply on a balance of probabilities...

Mr. Scotland: That has gone beyond a reasonable doubt.

Mr. Chairman: That has nothing to do with a 100% certainty. The test by Commissions of Inquiry has to do balance of probability.

Mr. Scotland: Mr. Chairman, with the greatest of respect now with the evidence of this witness that is beyond reasonable doubt.

Mr. Chairman: Yes, and he made that clear himself.

Mr. Scotland: I am on the flight of the 17th where there are some grey or opaque areas.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: Okay.

Mrs. Samuels-Brown: I am also interested to know about the preservation of these records in the context of any investigations that were proceeding because the witness did say there is a six-month period but in the event of an accident or such things you would naturally produce the records and I am concern because we were told that there was an investigation so I would be curious to know, and if it is left to me to ask, not necessarily this witness but another, how it is that this incident happened, but the records were not secured, if they were not, and the investigations were proceedings. That is something that we would have to enquire into at the relevant time.

Mr. Chairman: I find something else about the inquiry very interested that it took place and that he is not aware, even until today, that an inquiry took place that he was never asked about the flight.

Mr. Scotland: Mr. Chairman, I am actually right on that point now and I am going a little further. This to me, now and then, is just unbelievable.

14.18hrs

Mr. Scotland: Now with the state of the evidence as a fact on the 14th of June as you have told us, the Police inspector McRay, Mr. Cecil "Skip" Roberts, Laurie Lewis, Mr. Pc Stafford, nobody at all from the Police Force ever contacted you to give a statement relative to Gregory Smith and his movement from Georgetown to Kwakwani?

Captain Gouveia: Never.

Mr. Scotland: Never. Armed with your record that you have kept you would agree with me, Sir, that in the time Mr. Chairman I am going back to Terms of Reference one, two and five that that would have been important information for the police at that time.

Captain Gouveia: If they were in fact investigating a flight absolutely.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Scotland: Not a flight the flight of Gregory Smith.

Captain Gouveia: Absolutely.

Mr. Scotland: And when I say flight, I do not mean the plane; I mean flight in the true sense of the word “flight”.

Captain Gouveia: And with due respect, just to say to you there are many things that will tie this flight in together the maintenance records the aircraft log book the control tower and so on. So there are many things to tie it back together.

Mr. Scotland: And those would have been records, Sir, that during the pendency in the broad neck stages of the investigations that would have been available.

Captain Gouveia: Yes.

Mr. Scotland: And this is in light as you have told this Commission of the fact of when Gregory Smith boarded your plane on the 14th that came from on top sanction.

Captain Gouveia: I will have to accept that yes.

Mr. Scotland: Yes wow. You would have known that part from well your feelings about Donald Rodney’s statement that from on the 16th of June he started to call in fact he called Gregory Smith name and said look this is the person who provided me with these walkie- talkies. The 16th two days after.

Captain Gouveia: Yes.

Mr. Scotland: Mr. Chairman I am stretching here you would not have known by that time that it was public knowledge. From you post you are not really from what you told us you are not concern with the “nitty-grities”, but you knew of that.

Captain Gouveia: Yes.

Mr. Scotland: Yes. Major General (Ret) McLean up until the time that you have spoken to us when you mention the conversation that you had with him he never spoke to you about your involvement?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: No.

Mr. Scotland: Your Officer-in-Command the person in your chain right above you never spoke to you.

Mr. Kission: Forgive me, Counsel this question has been repeatedly ask Captain Gouveia simply said no one has ever spoken to him concerning anything about the flight. That was clear in the statement clear in my examination-in-chief and clear in his cross, I do not know if there is another person or angle counsel is going, but I think that issue has been exhausted, respectfully.

Mr. Scotland: Taken, agreed and moving on. Now even when the public, there was a public call for Gregory Smith, when the public of Guyana started to say where is this “Gregory Smith”. I am just asking it is a mutual question. Why did not you come out and say I saw this photograph I knew this person I think I flew him, somebody tell me how can I assist. Why did not you do that? I am just asking.

Mr. Kissioon: Again Commissioners and Counsel ...

Captain Gouveia: No, Counsel I would just like to say that it is a fair question and I just never did I never felt the obligation to do it or the duty to do it. I want to say to you, but I believe that if or when there was ever a Commission of Inquiry like this I was never going to come out and discuss thing in my military life like that, but if there was ever a legal obligation a national obligation. I was always ready to come and do this, but I was never going to just walk out and tell the media or discuss things my activities in the Military voluntarily.

Mr. Chairman: May I enquire if he played any role in the inquest?

Mr. Scotland: I am going there, there was an inquest into the death of the late Dr. Rodney, you knew of this inquest?

Captain Gouveia: Cursory from a distance way distance far distance.

Mr. Scotland: Distance in time and space?

Captain Gouveia: And even interest.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Scotland: But you never came forward at that inquest?

Captain Gouveia: No.

Mr. Scotland: When you said that you would have agreed if there was a duty you spoke of...

Mr. Chairman: In fairness of the Witness, you normally come forward or Police normally approach those that they want to testify?

Mr. Scotland: It depends, the norm is Police approach, but you have to know that somebody for the Police to approach you they have to know who to approach.

Mr. Chairman: For them to approach you, you may have to approach the Police first?

Mr. Scotland: It operates that way, but I want to be fair to this witness.

Mr. Hanoman: There is a statutory duty under the Police Act if somebody is aware that the Police needs assistance to find somebody, every citizen has a duty to help the Police under the Police Act.

Mr. Scotland: Well, I leave that to...

Mr. Chairman: His evidence or that is that he never felt an obligation to come on.

Mr. Scotland: To come on.

Mrs. Samuels-Brown: He had answered that more than once.

Mr. Chairman: He had answered that more than once and we have to accept it.

Mr. Scotland: As is.

Mr. Chairman: And in the context of all the evidence determine to what weight we will attach to it and what inferences we will draw from it.

Mr. Scotland: When you and forgive me I may be wrong, when you took your evidence when you started your evidence, Mr. Chairman, I think the Commissioners have to check that you recall taking your oath before you started go give your evidence? You took your oath today?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: Yes.

Mr. Scotland: Alright, when you became a member of the Guyana Defence Force you took an oath made under Section 16?

Mr. Chairman: What is Section 16?

Mr. Scotland: Of the Guyana Defence Force Act. I have the original here, show it to the Commissioner.

Mr. Chairman: You read it.

Mr. Scotland: Did you take an oath that “I, Gerald Gouveia do swear solemnly affirm that I would bear thru faith and the allegiance of the State of Guyana and I will support and defend the State against all enemies whom so ever that I would faithfully discharge the functions of an Officer in the Guyana Defence Force or fear or favour, affection or ill will and that in the discharge of those functions I will honour, uphold and preserved the Constitution of Guyana”.

Captain Gouveia: Yes.

Mr. Scotland: The Constitution of Guyana guarantees protection of life, liberty and person. You agree with me?

Captain Gouveia: Yes.

Mr. Scotland: Do you think all things being considered now 34 years after then bearing in mind your duty that you upheld your oath by not coming forward and reporting your involvement in the removal of Gregory Smith from Georgetown, Timehri to Kwakwani?

Captain Gouveia: Today?

Mr. Scotland: Yes.

Captain Gouveia: As I stand here I fulfilled my obligation today.

Mr. Scotland: Today?

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: This Commission did not have to subpoena me, I came here. 34 years ago I was in the Military and I did not consciously accept the fact that Gregory Smith in fact was, while I saw the picture and while I match the two, today when you presented the evidence to me the witness that happened at Kwakwani and everybody identified him, we were able to take all that information and conclude the intelligence what it is. Back then I had one piece of information, but I conclude today that I stand here and I fulfill my obligation.

Mr. Scotland: But back then you did not.

Captain Gouveia: I did not because I did not believe that I had any reason there was any anomaly to.

Mr. Scotland: Mr. Chairman...

Mr. Chairman: What you are saying, now you are certain that he was or might have been involved in Walter's death but you were not aware at the time?

Captain Gouveia: I was not so aware and in fact when I read Donald Rodney's statement for many years I would read that statement and read it over again, I am still not sure, I am convinced in my heart and today even as I stand here as a security professional that I am able to say conclusively whether we were talking about a walkie-talkie or a device that went wrong. Donald Rodney's statement and the time that I read it did not make sense to me and I am just saying honestly, and I said I came here today to tell you honestly what I believe and when I read the statement as a young man back then and I read it today even now there is still questions that I ask myself of about the event of that night and so there is still doubts in my mind.

Mr. Scotland: Tell me something, may I Mr. Chairman.

Mr. Chairman: Doubts about what, walkie-talkie, doubts about what?

Captain Gouveia: Yes, doubts about what went on that night.

Mr. Kissoon: Mr. Chairman I believed that there might be a brief explanation in the source of the doubt. Captain Gouveia spoke repeatedly about walkie-talkie", but every time was interrupted and I was just wondering if the Commission could give him two minutes that perhaps

WALTER RODNEY COMMISSION OF INQUIRY

if he has something more to say about why there were doubts and how this related to a walkie-talkie?

Captain Gouveia: Thank you very much Sir. Mr. Chairman...

Mr. Chairman: Yes, but I

Captain Gouveia: We test a walkie-talkie by testing one, two, three, four, and five, how do you read me and radio strength five – one, two, three, four, five, how do you read me. We do not test a walkie-talkie with a red light. We test remote control devices with a red light and that is a serious anomaly in my mind up to today.

Mr. Chairman: I do not want to interrupt Captain Gouveia.

Mr. Scotland: [*Laughter*]

Mr. Chairman: Captain Gouveia is not here to talk about walkie-talkie. He is here to talk about his role in transporting Gregory Smith the day after Rodney was assassinated.

Mr. Kissoon: Mr. Chairman, forgive me, again....

Mr. Chairman: That is the allegation.

Mr. Kissoon: The Commission has asked for a direct question whether or not he believed he was aiding and abetting in an illegal enterprise at the time and there was a suggestion by yourself Chairman that perhaps Captain Gouveia could have. Captain Gouveia responded by saying he did not believe that anything was illegal at the time and perhaps this is towards explaining why.

Mr. Chairman: He is here concerned about his role in transporting Gregory Smith the day after Rodney's death and what he knows about that and what part he played. He is not here to testify about walkie-talkies, so do not let us get into that.

Mr. Scotland: I was not, agreed Mr. Chairman.

Mr. Kissoon: We are guided Mr. Chairman.

Mr. Chairman: There is only one aspect of this whole scenario that he is here involved about.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Kissoon: We are guided Mr. Chairman, no further questions.

Mr. Chairman: I think we have come to the point where we must....

Mr. Scotland: Last question, two minutes Mr. Chairman.

Mr. Chairman: Yes, go ahead.

Mr. Scotland: You can say now Sir, bearing in mind all that you have told us conclusively that the State would have assisted Gregory Smith in moving from Timehri to Georgetown to Kwakwani as far as you know on the 14th June, 1980?

Captain Gouveia: You want a yes or no answer? The answer is no but I can explain it to you.

Mr. Scotland: Tell me.

Captain Gouveia: I could say that the army air core somewhere in that command structure would have done that, but I cannot accuse the State of Guyana in doing that.

Mr. Scotland: You cannot say that the army air core assisted Gregory Smith?

Captain Gouveia: Yes.

Mr. Scotland: Mr. Chairman these are my questions, respectfully.

Mr. Jairam: Captain Gouveia on that score where ever the army occupies a physical space whether it is a base or a wing, that is a restricted area, is it not?

Captain Gouveia: It is.

Mr. Jairam: For civilians?

Captain Gouveia: It is.

Mr. Jairam: And apart from intrusion for a civilian to be there...

Captain Gouveia: Yes.

Mr. Jairam: That person has to be there with the approval or the permission of the army.

WALTER RODNEY COMMISSION OF INQUIRY

Captain Gouveia: The High Commander of the Army Air Corps.

Mr. Chairman: He has given that evidence already.

Mr. Jairam: I just want to be clear on that.

Mr. Chairman: It is three times now on the record, I just went through it, three times he said that.

Captain Gouveia: Of the Army Air Corps. Where they would have gotten, the Commanding Officer or the Officer commanding had the authority where he got his authority from I do not know, but I know for sure Officer commanding and the Commanding Officer would have had the authority, but nobody below them would have that authority to bring people in, correct.

Mr. Scotland: And to say fly them out?

Captain Gouveia: Correct. That is correct.

Mr. Scotland: Captain, is it Captain.

Captain Gouveia: Gerry.

14.33hrs

Mr. Scotland: No. The Chairman will not permit me and I will not do that. Captain, the Army Air Corps....

Captain Gouveia: Yes.

Mr. Scotland:was then, and is now, part of the State?

Captain Gouveia: Yes.

Mr. Scotland: Mr. Chairman, it is 14:30. May we call stumps?

Mr. Chairman: Mr. Gouveia, are you saying that the commanding air force, and/or the officer commanding one, or the other, or both, had given the approval?

Captain Gouveia: It could be one or the other.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: One or the other.

Captain Gouveia: Correct.

Mr. Chairman: And who directed them, you do not know?

Captain Gouveia: No. I am wondering if to aide you in terms of the command structure. To say that through the officer commanding, and the commanding officer, then there is an Army commander, and then they all feed right back into the defense headquarters where the Chief-of-Staff could sit as the Chairman of the board, so to speak. So, it is a command structure, it goes up towards the defense Headquarters.

Mr. Chairman: I think we have to end it for today. It is now 14:30hrs.

Mr. Pilgrim: Are you treating this Witness being completed, Mr. Chairman?

Mr. Chairman: No, I am not; because Mr. Ram, and Commission Counsel they have not asked any questions yet. Please advise us that when we think that...

Attorney for the Working People's Alliance (WPA) [Mr. Christopher Ram]: Sir, may I?

Mr. Chairman: Yes, certainly, Mr. Ram.

Mr. Ram: As you know, Sir, I happen to be –fortunately or unfortunately- both an accountant and an Attorney-at-Law. The accounting firm with which I am associated are the professional advisors and auditors of the Witness. I have explained to my clients that I did not think it would be appropriate on perceptions of allegations by us, etcetera, but it would be proper for me to cross-examine this Witness, and I so notify the commission.

Mr. Chairman: So, you will not be asking any questions of the witness?

Mr. Ram: That is correct, Sir.

Mr. Chairman: Thank you. Commission Counsel may wish to ask him some questions. Is that correct?

Mr. Hanoman: I believe that I may be about an hour with this Witness...

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Chairman: Okay.

Mr. Hanoman: And i would like through you, Mr. Chairman, to ask this Witness to return with this original logbook tomorrow to facilitate the cross-examination?

Mr. Chairman: Tomorrow. Is that convenient to you, Mr. Gouveia?

Captain Gouveia: Yes, Sir. What time?

Mr. Chairman: 09:30hrs.

Captain Gouveia: Okay.

Mr. Chairman: If you can be here ten minutes or so before...

Captain Gouveia: Yes, Sir. Would you like me to leave the logbook with you?

Mr. Chairman: That too might be useful. We will ensure you that it be kept safely. So that brings us to the end for today....

Mr. Hanoman: I do not want to be accused of making alterations in the logbook. Perhaps the Witness could keep it.

Mr. Chairman: But why are you introducing that?

[Laughter]

Mr. Hanoman: Out of... Perhaps the Witness could keep it.

Mr. Chairman: Yes, you are very much free to go now, Captain, and thanks very much for coming.

Adjourned Accordingly at 14:37hrs