

WALTER RODNEY COMMISSION OF INQUIRY



CO-OPERATIVE REPUBLIC OF GUYANA

THE WALTER RODNEY COMMISSION OF INQUIRY

**VERBATIM REPORT
OF THE PROCEEDINGS**

Thursday 5th June, 2014

WALTER RODNEY COMMISSION OF INQUIRY

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12th Hearing

09:31hrs

5th June, 2014

Commissioners:

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

Mrs. Jacqueline Samuels-Brown, Q.C.

Mr. Seenath Jairam, S.C.

Secretary to the Commission:

Ms. Nicola Pierre

Counsel to the Commission:

Mr. Glenn Hanoman

Ms. Latchmie Rahamat

Administrator of the Commission Secretariat

Mr. Hugh A. Denbow

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

Mr. Basil Williams

Lt. Col. (Ret'd) Harmon

WALTER RODNEY COMMISSION OF INQUIRY

Mr. James Bond

Attorneys for Working People's Alliance (WPA):

Mr. Christopher Ram

Mr. Moses Bhagwan

Attorneys for the Guyana Trades Union Congress (GTUC):

Mr. Brian Clarke

Mr. Selwyn Pieters

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

Mr. Andrew Pilgrim

Attorney for Donald Rodney:

Mr. Keith Scotland

Witness:

Major General (Ret'd) Norman McLean

WALTER RODNEY COMMISSION OF INQUIRY

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CALL TO ORDER

Chairman [Sir. Richard L. Cheltenham K.A., Q.C., Ph.D]: We are running a little late, but we need to get started now and in one minute, I am going to call the proceedings to order, but at this point I am just inviting all parties to get to their respective stations so that we can get started. We are now in session and I invite Commission Counsel to indicate his first witness for the day. I think it is Major General (Ret'd) McLean. Would you come forward, Sir, and take the witness stand?

Attorney for the People's National Congress (PNC) [Mr. Basil Williams]: Mr. Chairman, whilst he is coming forward, I do not know, people are complaining about the microphones, even when you whisper, it is turned up and we want to know why it is turned up when certain people are speaking and then it is well modulated when others. So in an exchange with you and I, you are whispering and I am thundering, and there are sometimes when you are very hot, but you are whispering.

Mr. Chairman: Is there a conspiracy to hear you and not me?

Mr. Williams: I do not know. Do we need to bring in the technicians?

Mr. Chairman: I do not think that we will go as far as an inquiry into that, but I will ask the technicians to address the issue.

Mr. Williams: I was in a very good mood, yesterday morning early and yet the questions came out as if they were coming out from some amplifier, if you recall.

[Major General (Ret'd) Norman McLean entered the witness box]

Mr. Chairman: Yes I do. Let us have the witness sworn.

[The Secretary of the Commission administered the oath to Major General (Ret'd) Norman McLean]

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Counsel to the Commission [Mr. Glenn Hanoman]: Good Morning Mr. McLean.

Major General (Ret'd) Norman McLean: Good morning, Sir.

Mr. Hanoman: Did you submit a written statement to the Commission for the purposes of this exercise, dated the 3rd June, 2014?

Major General (Ret'd) McLean: Correct.

Mr. Hanoman: Could you please look at that statement and verify this is the statement that you submitted?

[Court Marshal showed Major General (Ret'd) McLean the statement]

Major General (Ret'd) McLean: I think you indicated that this as a prerequisite. Yes, this is the statement and that is my signature.

Mr. Hanoman: Could you state your full name for the record?

Major General (Ret'd) McLean: Norman Gordon Mc Lean. Spelt Lean, McLean.

Mr. Hanoman: Not Clean?

Major General (Ret'd) McLean: Not Clean as you have sent in your...

Mr. Hanoman: I see. I am grateful for the guidance

Major General (Ret'd) McLean: Your subpoena.

Mr. Hanoman: That you are not Clean and that you are Lean.

Major General (Ret'd) McLean: Well you can attach whatever you like to my name, but that is what I was born with.

Mr. Hanoman: Okay. I notice that you mentioned your first and middle names. Is that a practice in the military for both your first and your middle names to be mentioned?

Major General (Ret'd) McLean: It is normal.

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Mr. Hanoman: Very well. Now, prior to submitting your written statement, you obtained independent legal advice?

Major General (Ret'd) McLean: For what purpose?

Mr. Hanoman: Could you please answer the question? Did you obtain independent legal advice, prior to submitting your written statement?

Major General (Ret'd) McLean: Not really.

Mr. Chairman: I did not hear that.

Mr. Hanoman: The answer is not really.

Major General (Ret'd) McLean: I said not really.

Mr. Chairman: Not really. Thank you.

Mr. Hanoman: Mr. McLean, prior to submitting your statement, you were aware of the Terms of Reference?

Major General (Ret'd) McLean: Yes. In fact, I was given a copy by that young lady.

Mr. Hanoman: I am sorry. Could I ask that the statement be officially tendered perhaps as NGM 1 or NM 1?

Mr. Chairman: Which of the two tags?

Mr. Hanoman: I think NGM is the tag I prefer.

Mr. Chairman: NGM.

Mr. Hanoman: Yes with the middle G. The middle G, coincidentally is very important.

Mr. Chairman: One. Yes. It is so admitted and tagged. NGM 1.

Mr. Hanoman: Thank you so much. You recognise that the statement, you submitted, is a short one. Do you have an explanation as to why it is so short?

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Major General (Ret'd) McLean: Well I tried to give some of what you asked in your 117 questions that you sent to me and I did not think that in the time given that I could have answered all those questions in writing, but I am prepared to answer them here today.

Mr. Hanoman: Fair enough. You recognise the need...

Mr. Chairman: Counsel, we did not indicate to anyone whether it should be a page, two pages, or five pages. Let us get on, please.

Mr. Hanoman: I just wanted to get it on the record for a specific purpose please.

Mr. Chairman: Okay. Alright.

Mr. Hanoman: You recognise the need to go well beyond what you have given in your written statement for the purposes of this exercise.

Major General (Ret'd) McLean: I was quite prepared to do that even without the statement.

Mr. Hanoman: Okay.

Major General (Ret'd) McLean: Because I was very concerned that you sent a subpoena to me, when in fact nobody ever spoke to me.

Mr. Hanoman: Please answer my question Mr. McLean.

Major General (Ret'd) McLean: I am answering.

Mr. Hanoman: You recognise the need to go beyond what you have submitted?

Mr. Chairman: He said that and twice. Counsel, get on please.

Mr. Hanoman: Very well. You became the Chief-of-Staff of the Guyana Defense Force (GDF) in 1979?

Major General (Ret'd) McLean: Correct. July, I think.

Mr. Hanoman: Prior to that you headed up the Guyana National Service (GNS)?

Major General (Ret'd) McLean: Director General of the Guyana National Service.

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Mr. Hanoman: As the Director General, you were at the pinnacle, the Leader of the Guyana National Service. Would it be correct for me to say that Mr. Burnham was instrumental in appointing you as the Head of the Guyana National Service?

Major General (Ret'd) McLean: I can assume that.

Mr. Hanoman: Did you speak with Mr. Burnham immediately before taking up your appointment as the Chief of Staff of the GDF?

Major General (Ret'd) McLean: You are looking at what? 35 years or more ago, I cannot remember if I had any discussion with him. I was surprised to have been chosen, but I cannot recall if I did. The president at the time was one Arthur Chung.

Mr. Hanoman: I am grateful for your guidance. You did not speak with Mr. Burnham, as far as you can remember, immediately before taking up your appointment as Chief-of-Staff. Is that your answer?

Major General (Ret'd) McLean: I cannot recall that.

Mr. Hanoman: You cannot recall that.

Major General (Ret'd) McLean: I spoke to him after, but I cannot remember before.

Mr. Hanoman: During your time at the Guyana National Service, yourself and Mr. Burnham would have regular contact?

Major General (Ret'd) McLean: I would say yes.

Mr. Hanoman: And as far as you could tell, Mr. Burnham was happy with the way you were performing in the Guyana National Service?

Major General (Ret'd) McLean: I could call him back to find out. I do not know.

[Laughter]

Mr. Hanoman: Could you call him? You said you can call him? Please do so.

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Major General (Ret'd) McLean: You want to put me in Mr. Burnham's mind. I do not know whether he was happy or unhappy. I do not know.

Mr. Hanoman: I see. How much warning, did you have before becoming the Chief-of-Staff of the GDF?

Major General (Ret'd) McLean: Well I was sworn in National Service uniform, to tell you the truth, but I do not know how much warning I was given and how long before I was told that I would be sworn in as Chief-of-Staff.

Mr. Hanoman: You agree that it was a sudden appointment? You were surprised at how sudden it was?

Major General (Ret'd) McLean: I was pleasantly surprised.

Mr. Hanoman: The night before you were sworn in, the PNC General Secretary's office was burnt down. Is that correct?

Major General (Ret'd) McLean: So I understand.

9.46hrs

Mr. Hanoman: Did you connect the two events that the reason you were sworn in was because of that?

Major General (Ret'd) McLean: No.

Mr. Hanoman: Is it correct to say that around the same time you were sworn in, several other senior GDF ranks left the GDF for one reason or the other?

Major General (Ret'd) McLean: I really cannot answer that in the sense that, look I do not know why I was appointed, as I said, I was pleasantly surprised that I was appointed, but the previous Chief-of-Staff was two years over his age of [*inaudible*]. I do not know why?

Mr. Chairman: Major General, I think the question had to do with whether at about the same as your appointment that several officers left the force. Mr. Hanoman, is that not the question?

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Major General (Ret'd) McLean: There were other officers in the GDF who had to be removed in order to make room for this appointment. So I can only assume that that is what you are trying to allude to.

Mr. Chairman: This appointment refers to your appointment, that they had to make room for this appointment, this appointment being your appointment?

Major General (Ret'd) McLean: The Commander of the Guyana Defence Force, at that time would have been one Colonel Pilgrim. I do not know whether he was retired or what transpired, but certainly it would have assumed that he would have been the next person in line. That did not happen. Why, I do not know.

Mr. Chairman: Mr. McLean, I am only trying to make sure that my note makes sense when I re-read it and come to write, maybe, weeks down the road. You said that the officers had to, in my summary, make room for this appointment. Is this appointment referring to your appointment?

Major General (Ret'd) McLean: Yes, for my appointment.

Mr. Chairman: Yes.

Mr. Hanoman: When you were in the Guyana National Service, you were in charge of about how many members?

Major General (Ret'd) McLean: We had about 5,000 members or more including pioneers who were being trained in at least in 19...we would have had at least six centres. First at Kimbia, do you want me to give you those?

Mr. Hanoman: Yes, please.

Major General (Ret'd) McLean: First at Kimbia, the next at Papaya, next at Tumatumari, the other one at Konaruk and the other one at Camp Jaguar. Each had its own special responsibility.

Mr. Hanoman: What were the aims and objectives of the Guyana National Service?

Major General (Ret'd) McLean: Develop the new Guyana-man.

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Mr. Hanoman: What does that mean?

Major General (Ret'd) McLean: If you look at the State Paper, Burnham's State Paper, that was what was there. That we were required to develop the new Guyana-man to develop skills for young people to expose them to the Hinterland and to give them and to give them relevant training and what have you.

Mr. Hanoman: Everything you have mentioned suggests that it has nothing to do with a military organisation. Did this organisation have guns and ammunitions and so on?

Major General (Ret'd) McLean: Yes, it did have guns and we had, and I make no apologies either for training in disciplined and military skills. If you want to take four or five thousands young people to be trained from scratch within a short space of time, I know of no other system that could have achieved that objective than training them in disciplined and military skills.

Mr. Hanoman: Do you considered yourself to be a support group to the GDF?

Major General (Ret'd) McLean: I would say so.

Mr. Hanoman: One of the bases you said was in Camp Jaguar?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: The National Service base? And this was alongside the GDF base?

Major General (Ret'd) McLean: No.

Mr. Hanoman: There was no GDF base there at the time?

Major General (Ret'd) McLean: No.

Mr. Hanoman: I see.

Mrs. Samuels-Brown: I am sorry, it is due to my own inattention, but did the witness indicate the size, how many persons were in the ...

Mr. Hanoman: Five thousand.

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Mr. Chairman: In the National Service.

Mrs. Samuels-Brown: In the National Service?

Mr. Hanoman: Yes.

Mrs. Samuels-Brown: And did the witness explain what was to be the main characteristic of this new Guyana-man?

Mr. Hanoman: What did you understand this creation of a new Guyana-man. What did you understand that you had to do?

Major General (Ret'd) McLean: Train young people in relevant developmental skills, infuse them with the spirit of discipline, loyalty and love of country and to be exposed in the Hinterland of our country.

Mrs. Samuels-Brown: I just want to indicate that I was particularly interested because; one of the Terms of Reference, is what was the atmosphere? So I am trying to relate it from this witness's point of view to what was the atmosphere?

Mr. Hanoman: I am also guided by that. A part of the new-Guyana-man was so that they could also be trained militarily in the use of firearms and so on.

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: That was also...

Major General (Ret'd) McLean: That was also part of living in the Hinterland and living in a situation where we had threats on two of our borders.

Mr. Hanoman: I see.

Major General (Ret'd) McLean: And if you recognise, some of most of the locations in what is called the Essequibo area which the Venezuelans called *Zona en Reclamación*. So we had Papaya, Tumatumari, Konaruk in that zone. It was not something that was done with a deliberate policy.

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Mr. Hanoman: In light of a response earlier that you felt that the Guyana National Service was not in support of the GDF, do you wish to change your answer?

Major General (Ret'd) McLean: No.

Mr. Hanoman: You understand that the GDF is the organisation that has the mandate to protect this country from any foreign invasion?

Major General (Ret'd) McLean: Yes, that is correct.

Mr. Hanoman: And what you just described is that the Guyana National Service had camps in those areas for the same purpose?

Major General (Ret'd) McLean: To populate the *Zona en Reclamación* so that it becomes part and parcel of Guyana.

Mrs. Samuels-Brown: While you are searing your records, may I understand from which area the population, members of the Force, Guyana National Service were recruited, the age group, how were they recruited and also part of the atmosphere at the time?

Mr. Hanoman: Thank you. How did you go about recruiting persons and who were considered eligible for recruitment?

Major General (Ret'd) McLean: Between the ages of 16 to 25.

Mr. Hanoman: The GNS was, you would say the brainchild of Linden Forbes Sampson Burnham?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: And you were the first Director General of that organisation?

Major General (Ret'd) McLean: Founding Director General.

Mr. Hanoman: Founding Director General and so the organisation was founded in 1974. That is correct?

Major General (Ret'd) McLean: That is correct.

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Mr. Hanoman: When you became the Head of the Guyana National Service, it was a secondment of the Guyana Police Force?

Major General (Ret'd) McLean: Correct.

Mr. Hanoman: Do you have any idea why you were chosen for that different sort of job? Why you of all persons?

Major General (Ret'd) McLean: Why of all people I was chosen?

Mr. Hanoman: Yes.

Major General (Ret'd) McLean: I really cannot answer that question, but I will tell you I was first in the British Guiana Volunteer Force where I was Second Lieutenant and then I was in the Police Force for 16 years before being seconded there. Why I was chosen, I do not know, but I believe it was the most exhilarating and most rewarding exercise I have ever had in my life.

Mr. Hanoman: More than your involvement in the GDF?

Major General (Ret'd) McLean: Oh, definitely.

Mr. Hanoman: I see.

Major General (Ret'd) McLean: You can ask anybody around that knows who went into National Service that that was the most rewarding service that they would have had and certainly I would have had.

Mr. Hanoman: When you left the Guyana National Service who took your place as ...?

Major General (Ret'd) McLean: Colonel Desmond Roberts. He was Second-in-Command and he took over.

Mr. Hanoman: Do you have any idea about the Guyana People's Militia around 1978/1979/1980 and who headed it up and so on?

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Major General (Ret'd) McLean: I know of it because I became Chief-of-Staff and the Guyana People's Militia became the largest, every citizen, a soldier in respect to what the challenges we have been facing with Venezuela and elsewhere.

Mr. Hanoman: Who was the Head of the Guyana People's Militia?

Major General (Ret'd) McLean: Colonel Carl Morgan.

Mr. Hanoman: Colonel Carl Morgan. This would have been during what period?

Major General (Ret'd) McLean: I do not know when I came to the GDF if he was yet the Commandant as we called it of the People's Militia, but it was somewhere around that time.

Mr. Hanoman: As Commandant of the People's Militia he would have to report to you? You were his Superior?

Major General (Ret'd) McLean: After my appointment in 1979.

Mr. Hanoman: Just for the sake of completeness, is it correct that Lloyd Barker was the Commissioner of Police during that period, 1978/1979/1980?

Major General (Ret'd) McLean: Correct.

Mr. Hanoman: And I think it is important to mention, and the person acting as Crime Chief was Cecil "Skip" Roberts during that period as well?

Major General (Ret'd) McLean: I do not know if he was Acting, I thought he was Crime Chief.

Mr. Hanoman: You saw him in that light, Crime Chief?

Major General (Ret'd) McLean: He was Deputy Commissioner of Law Enforcement. I think that was the proper designation.

Mr. Hanoman: Cecil "Skip" Roberts is a person who you have known for a very long time?

Major General (Ret'd) McLean: We joined the police force together as the First Cadet, British Guiana Cadet Officers. There were three of us.

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Mr. Hanoman: You joined on the same day?

Major General (Ret'd) McLean: Yes, same day. 19th August, 1958.

Mr. Hanoman: 1st August, 1958. "Skip" is a

Major General (Ret'd) McLean: Cecil Alexander Roberts is his name, but he is known as "Skip".

Mr. Hanoman: He is popularly known as "Skip". You maintained a good relationship with him?

Major General (Ret'd) McLean: We trained in England for over a year, we trained in England again for over a year in 1970, I believe. We went to Washington where we were trained by International Police Academy. We have always done our training together.

Mr. Hanoman: And you were "squaddies" as they would say?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: Your regulations number would be very close to each?

Major General (Ret'd) McLean: I do not know...

Mr. Hanoman: Okay.

Major General (Ret'd) McLean: I do not know what regulations numbers in the Police Force would have been? I did not even know that.

Mr. Hanoman: Okay.

Mr. Williams: Mr. Chairman, what is this, a fan-club exercise? How are these questions relevant to the Terms of Reference?

Mr. Hanoman: If my Friend has some patience, the relevance would be demonstrated.

Mr. Williams: Let us get to the matter then if we have anything....

Mr. Hanoman: Let us go on; is that what you want to say?

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Mr. Williams: Yes, you are wasting time right now. I do not know what are the questions you are asking?

Mr. Hanoman: Let us move on. We will move on Mr. Williams. When you became the Chief-of-Staff of the GDF, you simultaneously became the co-ordinator of joint intelligence. Is that correct?

Major General (Ret'd) McLean: Joint Services.

Mr. Hanoman: Joint Services.

Major General (Ret'd) McLean: Yes, it meant that the People's Militia, National Service and the GDF came under my command.

Mrs. Samuels-Brown: [*Inaudible*]

Major General (Ret'd) McLean: The GNS and the GPM, the People's Militia.

Mrs. Samuels-Brown: Thank you.

Mr. Hanoman: There was also a joint intelligence sharing going on at the time?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: And this is *vis-à-vis* the Guyana Police Force?

Major General (Ret'd) McLean: And the Guyana Defense Force.

Mr. Hanoman: There was an established joint intelligence between the Guyana Police Force and the Guyana Defense Force in 1978, well...

Major General (Ret'd) McLean: No.

10.01hrs

Mr. Hanoman: Well, you could only speak to your ...

Major General (Ret'd) McLean: I can only speak to when I joined in 1979.

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Mr. Hanoman: Fair enough, so in 1979 and 1980.

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: And I imagine because of your strong connection with Mr. Roberts, there was a free flow of information between the two bodies.

Major General (Ret'd) McLean: Mr. Roberts would have been responsible for law enforcement, the Commissioner of Police, was as you said Lloyd Barker, the intelligence, or as they called it at that time, "Special Branch", which is an inheritance from the British system. There was what we called a "Special Branch" and they were the people responsible for internal intelligence. The GDF would have had their own Intelligence Unit, which is military intelligence.

Mr. Hanoman: Do you know who the Head of Special Branch was when you became the Chief-of-Staff?

Major General (Ret'd) McLean: I think Laurie Lewis would have been the person in charge, the Head of Special Branch as it was termed.

Mr. Hanoman: Would it be correct for me to say that around the same time you were appointed, the Head of Special Branch, who was a man called "Mentore" was also replaced by Laurie Lewis around the same time.

Major General (Ret'd) McLean: I know of Mentore, but I do not know when he left. I think he left before that, if I am not mistaken. I do not know. I cannot remember.

Mr. Hanoman: You are not denying that Laurie Lewis replaced Mentore around the same time that you became the Chief-of-Staff?

Major General (Ret'd) McLean: No, I do not think so.

Mr. Hanoman: You knew Laurie Lewis before that day?

Major General (Ret'd) McLean: Yes, I knew him very well. He was the second batch of British Guiana Cadet Officers, he and a chap by the name of John Lashley.

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Mr. Hanoman: Could you tell us a little bit about the structure of the GDF when you became the Chief-of-Staff in terms of the units and how many units were there?

Major General (Ret'd) McLean: I do not know, at the time of my joining, what the numbers were or how many units were there. I really cannot say that, but subsequently, we developed to having six battalions.

Mr. Hanoman: Could you explain a little bit about the structure of the GDF without me having to ask? As you put it ...

Major General (Ret'd) McLean: Six battalions would have been 11, 12 and 13 Guards Battalion, Artillery Battalion, a Special Forces Battalion and a Construction and Engineering Battalion. Those were the six Battalions, besides that, we had an Air Corps and a Maritime Corps which are two separate units. You are looking at about 8000 men.

Mr. Hanoman: About 8000 ...

Major General (Ret'd) McLean: ... men.

Mr. Hanoman: ... persons.

Mr. Chairman: Could you give us again the six Battalions? 11 ...

Major General (Ret'd) McLean: ... 12 and 13 Guards Battalion.

Mr. Chairman: Thanks.

Mr. Hanoman: So, the Marine Corps and the Air Corps, they fell within one of the Battalions or they were two ...

Major General (Ret'd) McLean: No, they were outside of that structure.

Mr. Hanoman: There was a Personnel Department as well?

Major General (Ret'd) McLean: There would be a General Personnel Department, yes.

Mrs. Samuels-Brown: I only have to interject here, he said about 8000 men, but did that include women as we do in Law?

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Major General (Ret'd) McLean: Yes, sorry, my apologies, Ma'am.

Mrs. Samuels-Brown: Thank you.

Mr. Chairman: The women were among the 8000?

Major General (Ret'd) McLean: Yes, we had a Women's Army Corps.

Mr. Hanoman: In June 1980, who was the Head of the Air Corps?

Major General (Ret'd) McLean: I believe it would have been Major McPherson. I believe; I am not sure.

Mr. Hanoman: And in June 1980 who was the Head of the Maritime Corps?

Major General (Ret'd) McLean: Colonel Harry Hinds.

Mr. Hanoman: And who was the Head of the Personnel Department?

Major General (Ret'd) McLean: I do not know, we had what we called a Colonel AQ, Admin and Quartering and I think that department would have fallen under ...

Mr. Hanoman: I did not get that.

Major General (Ret'd) McLean: Colonel AQ, Admin and Quartering.

Mr. Hanoman: Quartering?

Major General (Ret'd) McLean: Meaning the people who were feeding the soldiers.

Mr. Hanoman: And the Head of Intelligence at the time.

Major General (Ret'd) McLean: Would have been Major Harmon.

Mr. Hanoman: This would be Attorney-at-Law Joseph Harmon, is that the same person?

Major General (Ret'd) McLean: Yes.

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Mr. Hanoman: The mentioned person has been given standing before the Commission, just in case it is important.

Mr. Chairman: We take note.

Mr. Hanoman: Thank you.

Mr. Pieters: Sorry, what did you just say, Commission Counsel? I did not quite get you.

Mr. Hanoman: No, I said that the person mentioned has standing in this Commission as an Attorney-at-Law.

Mr. Pieters: I understand.

Mr. Hanoman: I think he has Standing, his client is the PNC.

Mr. Pieters: No, I think he is making an appearance.

Mr. Chairman: No, I think he is representing some organisation's interest, some entity. He has Standing ...

Mr. Hanoman: The PNC.

Mr. Chairman: For?

Mr. Hanoman: For the PNC.

Mr. Pieters: He is making an appearance.

Mr. Williams: Mr. Chairman, Mr. Harmon is one of the Attorneys for the PNC.

Mr. Chairman: With you?

Mr. Williams: With me, yes.

Mr. Chairman: Yes.

Mr. Williams: I do not know about standing and sitting.

Mr. Chairman: Please proceed.

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Mr. Hanoman: When you went in, you were not a professional soldier, you would not consider yourself to be a professional soldier when you became the Chief-of-Staff?

Major General (Ret'd) McLean: My first thing was a Second Lieutenant in the British Guiana Volunteer Force which was then the British Territorial Army. I mean, the fact, that I moved to the Police Force was because they were trying to “Guyanise” the British Guiana Police Force in the run up to Independence and there was no Army, so I opted to go to the Police Force because that was what was offering at the time.

Mr. Hanoman: I see. So you do consider yourself a professional soldier?

Major General (Ret'd) McLean: I would say that yes.

Mr. Hanoman: Okay.

Major General (Ret'd) McLean: That I was trained in that way.

Mr. Hanoman: Okay. When you took over the helm of the GDF, you were very careful to comply with the strict and Standard Operating Procedures (SOP).

Major General (Ret'd) McLean: I do not understand that question about strict and what was it?

Mrs. Samuels-Brown: Standard.

Mr. Hanoman: You ever heard the term Standard Operating Procedures?

Major General (Ret'd) McLean: SOPs, yes we know that is.

Mr. Hanoman: Yes.

Major General (Ret'd) McLean: As a military man, you would know that.

Mr. Hanoman: Yes.

Major General (Ret'd) McLean: But I do not understand why the emphasis suddenly is on strict and what? Something else ... I do not know.

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Mr. Hanoman: As a professional man who had this training, especially coming out of the Guyana National Service ...

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: ... when you took over the helm of the GDF, you wanted to continue working efficiently and to observe the Standard Operating Procedures of the GDF, or you wanted to break them? You can tell us.

Major General (Ret'd) McLean: Out of the National Service, we were accustomed to Standard Operating Procedures and strict compliance with what we are doing and I do not understand why, all of a sudden, when I come to the GDF I have to apply strict ... I always did that.

Mr. Hanoman: It was ...

Major General (Ret'd) McLean: I was very efficient ...

Mr. Hanoman: I am grateful.

Major General (Ret'd) McLean: ... in everything that I did.

Mr. Hanoman: You were very efficient ...

Major General (Ret'd) McLean: Very efficient.

Mr. Hanoman: ... and you continued to observe all the Standard Operating Procedures.

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: As one would expect in the military organisation. You also ...

Mrs. Samuels-Brown: I am sorry, since we are dealing with military organisations and training, I am very sorry to interrupt Counsel.

Mr. Hanoman: That is okay.

Mrs. Samuels-Brown: But you referred to your service in the Royal Air Force, was it?

Major General (Ret'd) McLean: No.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Jairman: The British Guiana Volunteer Force.

Major General (Ret'd) McLean: The British Guiana Volunteer Force was the Territorial Army which was here at the time, in the British time.

Mrs. Samuels-Brown: The British Guiana Volunteer Force.

Major General (Ret'd) McLean: Yes, the British Guiana Volunteer Force.

Mrs. Samuels-Brown: How long did you serve in that organisation?

Major General (Ret'd) McLean: Oh boy!

Mrs. Samuels-Brown: A long time?

Major General (Ret'd) McLean: Yes.

Mrs. Samuels-Brown: Okay, it is alright and there were different ranks?

Major General (Ret'd) McLean: Yes.

Mrs. Samuels-Brown: And what rank had you achieved?

Major General (Ret'd) McLean: What rank?

Mrs. Samuels-Brown: In that ...

Major General (Ret'd) McLean: Colonel Bernard was the Commander of the British Guiana Volunteer Force, it had four companies and each company was commanded by a Major and we had the rank structure.

Mrs. Samuels-Brown: And you were a Major?

Major General (Ret'd) McLean: No, I was a Second Lieutenant.

Mrs. Samuels-Brown: You were a Second Lieutenant.

Major General (Ret'd) McLean: I was a "subie", a very humble person.

Mrs. Samuels-Brown: Alright, thank you very much.

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Mr. Hanoman: You would have acquainted yourself very quickly with the Defense Act and Rules when you took over the GDF?

Major General (Ret'd) McLean: I would say so, yes.

Mr. Hanoman: As far as you are aware, you have always done your best to comply with those rules set out ...

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: ... in those various pieces of legislation? When you took over the Army, you would have also ensured that there was very accurate and detailed records kept? Was that not part of your mandate to ensure that proper records were kept by the organisation that you led?

Major General (Ret'd) McLean: You know, the way you have put it, is like you are coming up with a trick question. [*Laughter*] Let me say, we had an Army which was in existence and I can assure you that when I arrived here, I was not very welcomed first of all, as indicated, because I had hurdled or gone past other officers who were there. For instance, my arrival on the first morning at Ayanganna, there was a bomb scare. That was to welcome me, right, and one of the first places I went to, was a place called Camp Broomes, where I found the Army ... we had an Artillery Unit where the men were living in crates which the weapons came in, there was no accommodations. So, I had big challenge to take up as soon as I got there as Chief-of-Staff.

Mr. Hanoman: You maintained the good record keeping when...

Major General (Ret'd) McLean: I am sure that the Army did.

Mr. Hanoman: You speak of the Army as though it was separate from you. Very well. Good records were maintained under your watch?

Major General (Ret'd) McLean: Well good records are assumed to have been kept by everybody. We have Commanding Officers who ensured that those things happen.

Mr. Hanoman: Okay. Now, Gregory Smith, do you agree that in the week 13th June, 1980, that you stated publicly that no "Gregory Smith" was a member of the Guyana Defense Force.

WALTER RODNEY COMMISSION OF INQUIRY

Major General (Ret'd) McLean: Correct.

Mr. Hanoman: You subsequently discovered that he was a member of the Guyana Defense Force?

Major General (Ret'd) McLean: After we were given the number 4141, that is when they checked and said yes, there is a “William Gregory Smith”, hence your thing about Norman Gordon McLean.

Mr. Hanoman: Yes. Before...

Mrs. Samuels-Brown: Can we get some time when was the first time and when the second was.

Mr. Hanoman: Can you date that assertion by you that there was no Gregory Smith enlisted in the Army, can you give us approximately ...

Major General (Ret'd) McLean: I believe I was called by the Press or the media and asked whether we had a “Gregory Smith” who was supposed to have been implicated in this matter. I then called the Commander AQ to ask him to find out whether we have a “Gregory Smith” in the Army and I was told, no, we did not have a “Gregory Smith”.

Mr. Hanoman: I asked you, if you could perhaps put a date, an approximate date.

Major General (Ret'd) McLean: This would have happened within a day or two of the incident.

Mr. Hanoman: Okay.

Major General (Ret'd) McLean: And then I was called again ...

Mr. Hanoman: You mean of the 13th?

Major General (Ret'd) McLean: And then I was called again, and I was told that the person's number was 4141 and then I did check with the Commander AQ and he came back and says, yes, there is a “William Gregory Smith” by that number who was in the Maritime Corps at one time.

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Mr. Hanoman: Let me ask you this: having discovered that you may have given the wrong impression when you earlier made that public statement, did you make a subsequent public statement when you learnt that he was in fact a member of the Army? Did you go publicly and say, when you discovered that he was in fact ...

Major General (Ret'd) McLean: I believe so.

Mrs. Samuels-Brown: I am still not ...

Major General (Ret'd) McLean: It is not something I denied so ...

Mrs. Samuels-Brown: I am still interested in the days, a day or two after the incident, I am assuming, it was after the death of Walter Rodney and then he said later on that he got information which indicated, after he was given the number 4141 ... 4142?

Mr. Hanoman: 4141

Major General (Ret'd) McLean: 4141

Mrs. Samuels-Brown: 4141, he was able to correct this, can we please know when he was given this number 4141 and when he was given this information?

10.16hrs

Mr. Hanoman: Can you answer those questions, Mr. McLean?

Mrs. Samuels-Brown: Not exactly, you know? Just in terms of...

Major General (Ret'd) McLean: Well, I suppose when he joined the GDF, I do not know what year that was.

Mr. Hanoman: No. When was the information, that the regulation number 4141, given to you?

Major General (Ret'd) McLean: After I had made the disclosure that there was no Gregory Smith, they then came back. I do not know who it was...

Mr. Hanoman: How long after?

Major General (Ret'd) McLean: Within days.

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Mr. Hanoman: When you discovered that fact that he was an enlisted member, is it not correct that you refused to publicly...

Major General (Ret'd) McLean: No.

Mr. Hanoman: ...acknowledge that?

Major General (Ret'd) McLean: No, I do not think so.

Mr. Hanoman: Let me suggest to you that you declined to comment on the matter and you instructed the media that you can only speak to them if so directed by the Minister of Defence, who was Burnham, at the time.

Major General (Ret'd) McLean: I am not aware of that.

Mr. Hanoman: As we are on that note; when you became the Chief-of-Staff of the GDF, who was the Minister of Defence?

Major General (Ret'd) McLean: Burnham would have probably been the Minister at the time.

Mr. Hanoman: Was it not a standard procedure for you to have, at least, weekly meetings...

Major General (Ret'd) McLean: No.

Mr. Hanoman: ...with the Minister of Defence?

Major General (Ret'd) McLean: No.

Mr. Hanoman: No?

Major General (Ret'd) McLean: No.

Mr. Hanoman: Would you have daily meetings with him, instead of weekly?

Major General (Ret'd) McLean: No.

Attorney for the Guyana Trades Union Congress (GTUC) [Mr. Selwyn Pieters]: Mr. Chairman, Selywn Pieters for the GTUC. As a practical note, so that the transcript of the evidence can be very clear, can you just instruct the witness to wait until Mr. Hanoman has fully

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completed his questions, before attempting to answer; because there seems to be an overlap sometimes.

Mr. Chairman: I believe the witness has heard you. Thanks. Please take note, Major General.

Mr. Hanoman: Are you saying that meetings with Mr. Burnham were less or more frequent than weekly?

Major General (Ret'd) McLean: More, but I did not have meetings regularly with Mr. Burnham.

Mr. Hanoman: Okay.

Major General (Ret'd) McLean: There was no reason to.

Mr. Hanoman: Do you agree that the GDF is an arm of the executive?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: Which member of the Executive, were you expected to report to when you became the Chief-of-Staff.

Major General (Ret'd) McLean: There is the Defence Board which met monthly. That was it.

Mr. Hanoman: Tell us who comprised of the Defence Board, at the time, please?

Major General (Ret'd) McLean: The Prime Minister; I believe the Deputy, Dr. Reid; Minister of Home Affairs, I do not recall who that would have been....

Mr. Hanoman: The Prime Minister, is it Mr. Burnham you are speaking of?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: Okay.

Major General (Ret'd) McLean: At that time. I cannot recall who else would have been there. I certainly would have been there, I think the Head of the Presidential Secretariat would also be there, or the Permanent Secretary within the Ministry of the Office of the Prime Minister.

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Mr. Hanoman: Can you remember after the 13th June, when your next meeting was, with the Defence Board? How long after the 13th June?

Major General (Ret'd) McLean: No, I cannot recall that. You are talking about 34 or 35 years ago...

Mr. Hanoman: I understand.

Major General (Ret'd) McLean: ...and it was a time when we did not have computers, either...

Mr. Hanoman: I understand.

Major General (Ret'd) McLean: ...so in terms of my raising questions about “whether we have a man by the name of ‘Gregory Smith’ there”, there were no computers, it was manual.

Mr. Hanoman: As you have raised that; is it not correct that when a person is enlisted in the Army, a very detailed personal file is compiled? Do you agree with that; with bio-data information?

Major General (Ret'd) McLean: Yes, I would think so, yes.

Mr. Hanoman: You would have had to be within a certain age group to get into the Army, do you agree with that?

Major General (Ret'd) McLean: Correct.

Mr. Hanoman: Do you agree with persons joining the Army would have to supply birth certificate for instance or other identifying documents?

Major General (Ret'd) McLean: I would believe that that would be the recruitment procedure.

Mr. Hanoman: When you were asked about Gregory Smith, did you go through those files?

Major General (Ret'd) McLean: No.

Mr. Hanoman: You did not go through? You did not think it was important for you to go through it?

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Major General (Ret'd) McLean: No.

Commissioner [Mrs. Jacqueline Samuels-Brown, Q.C.]: Remember, you know, he was the Head of the Army. He would have asked his subordinates, also, to do so. Perhaps you should also....

Major General (Ret'd) McLean: Thank you very much, Ma'am.

Mr. Hanoman: What was the name of the subordinate that you asked?

Major General (Ret'd) McLean: At that time he would have been Major Allan John Lewis.

Mr. Hanoman: Do you know if he is still alive?

Major General (Ret'd) McLean: No, Sir.

Mr. Hanoman: He is not alive?

Major General (Ret'd) McLean: As many of the officers and senior ranks that we are talking about are all dead and gone. I am a fossil now.

[Laughter]

Mr. Jairam: You do not look so, Mr. McLean, you do not look so.

Major General (Ret'd) McLean: Maybe it comes from the genes. My mother is 103 and she is still alive and sharp.

Mr. Hanoman: I wish you the same longevity.

Major General (Ret'd) McLean: Men do not normally live long, so I probably have the women's genes.

[Laughter]

Mr. Hanoman: Do you imagine that the names "William Gregory Smith" would have appeared in your personal file? All of those names, both of those names, is should say, "William" and "Gregory" would in the normal course of things, be names included in the files?

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Major General (Ret'd) McLean: Yes, I think so, yes.

Mr. Hanoman: It is common knowledge that in Guyana, people sometimes use their middle names and sometimes use their first names, and so on, interchangeably; do you agree with that?

Major General (Ret'd) McLean: In my case, I am known as Norman. Norman Gordon is on my birth certificate and on any document of anything, but I am Norman. Nobody knows me as Gordon.

Mr. Hanoman: Because of that interest in Gregory Smith, did you ever look at his personal file?

Major General (Ret'd) McLean: No.

Mr. Hanoman: Why not?

Major General (Ret'd) McLean: This guy is a Sergeant in the GDF. I have never met him; if I saw him, I would not have known him. It was not somebody I would know at all. His Maritime Commander would have known of him, not me.

Mr. Hanoman: Sorry, I may have asked the question in a loose way. When there was all of that tension, after the bombing of that very important political figure, Walter Rodney; when all of the attention was focused –William Gregory Smith- Did you not seek to look at his personal file?

Major General (Ret'd) McLean: No.

Mr. Hanoman: The reason was because he was just an ordinary Sergeant?

Mr. Pieters: Well ask him the reasons instead....

Major General (Ret'd) McLean: There was a chain of command, and I would ask the officers in charge of that particular unit to give those details. Not me, as Chief of Staff –I told you, we had 8000 men. I do not know them. I did not even know my own officers. I would have had maybe 300 officers; I did not know all of them.

Mr. Hanoman: You were not concerned enough to personally acquaint yourself with the details of his file; do you agree with that?

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Major General (Ret'd) McLean: I would agree with that.

Mrs. Samuels-Brown: Perhaps, and again, I am so sorry to be intervening so often- a question which the witness may want to answer is: what steps he took, if any, in relation to checking the records of this “Gregory Smith”, after the events of the 13th June He may not have personally checked files, but he may have convened meetings and he may have made enquires. If we could put it generally, maybe that would be assistance.

Mr. Hanoman: Thank you so much, Madam Commissioner. Could you give us a detailed account of all the steps you took to discover about the existence of this man, Gregory Smith?

Major General (Ret'd) McLean: When the issue arose, the Police, more or less, took the full investigation of this because it was a crime.

Mr. Hanoman: Would you have then, given the personal file of William Gregory Smith, to the Police?

Major General (Ret'd) McLean: I would have thought that the unit in the Army would have done that. As Chief-of-Staff, people would not come to me; I would not deal with it.

Mr. Hanoman: Members of the Guyana Police Force could have skipped you and go to any of your ranks, and request information, without going through you? Could they just approach like that?

Major General (Ret'd) McLean: The Commander of the GDF, the Commandant of the People's Militia, the Director General of the National Service – they are the people that I dealt with. My office was in Parliament building. I was not even in the Army base.

Mr. Hanoman: Okay. In June, 1980, who would have been the point person in the GDF for the Police to contact to get more information on Gregory Smith?

Major General (Ret'd) McLean: I would have thought that they would ask the Commander of the GDF.

Mr. Hanoman: Who was the Commander of the GDF at that time?

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Major General (Ret'd) McLean: Brigadier David Granger. He would have been a Cornet then.

Mr. Hanoman: Brigadier David Granger.

Major General (Ret'd) McLean: He was a Colonel at that time.

Mr. Hanoman: Oh, sorry. He was a Colonel at that time.

Mrs. Samuels-Brown: Does the GDF have a Military Police section?

Major General (Ret'd) McLean: Yes.

Mrs. Samuels-Brown: Did it have one at the time?

Major General (Ret'd) McLean: Yes.

Mrs. Samuels-Brown: Thank you.

Mr. Hanoman: As you sit now, could you say whether – at the time you joined, when you became the Chief-of-Staff- Gregory Smith was a serving member of the GDF.

Major General (Ret'd) McLean: I do not know, but I would not have thought so.

Mr. Hanoman: Do you know the circumstances of him being struck off the strength of the GDF, if that happened?

Major General (Ret'd) McLean: I am not aware of that. As far as I understand, he was a deserter, and had deserted for some time. We had a lot of deserters who we had to give amnesty to bring back soldiers who were disgruntled...

Mr. Hanoman: You seem like you want to give that evidence?

Major General (Ret'd) McLean: What evidence?

Mr. Hanoman: Please answer my question.

Major General (Ret'd) McLean: What question?

[Laughter]

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Mr. Hanoman: Well, I am going to ask you now.

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: At that time, according to the Law, deserters were normally sought after and put to Military Trial; is that correct?

Major General (Ret'd) McLean: Maybe that was what is on the books. That is not what happens if you have hundreds or thousands of people who were deserters. In fact, we took a decision to grant amnesty so some of that would come back. I do not know the numbers. It was after...

Mr. Hanoman: Was amnesty granted to William Gregory Smith?

Major General (Ret'd) McLean: Not that I am aware of, no.

Mrs. Samuels-Brown: I am very sorry. The witness has said that he understood that Smith was a deserter. Was this information that came to him from the enquires he made following the events of the 13th or was it something that came later?

10.31hrs

Major General (Ret'd) McLean: I do not understand.

Mr. Hanoman: When did you first come to the opinion that he was a deserter?

Mrs. Samuels-Brown: ...information?

Mr. Hanoman: When did you first come to the opinion that Gregory Smith was a deserter?

Major General (Ret'd) McLean: Major Allan Lewis.

Mr. Hanoman: This would have been around which period you would have gotten that information?

Major General (Ret'd) McLean: It would have been shortly after the incident.

Mr. Hanoman: Having so discovered, did you take any action to try and find him?

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Major General (Ret'd) McLean: No.

Mr. Hanoman: Could you explain why not?

Major General (Ret'd) McLean: Because as Chief-of-Staff, it would not have been my function to do that. I would have passed that down to somebody else to do that.

Mr. Hanoman: Very well. So you are saying that the GDF would have taken...

Major General (Ret'd) McLean: Would have done that. Yes.

Mr. Hanoman: The answer is not clear to me.

Mrs. Samuels-Brown: No, he said the GDF may have done it.

Mr. Hanoman: Did the GDF actively seek him? May have?

Major General (Ret'd) McLean: Yes.

Mr. Pieters: Mr. Chairman, this is a preliminary issue because all these records should have been before this commission from the Guyana Defense Force. I mean, it seems like I do not know what the Commission has in its possession, but it seems as if we are operating in a vacuum here because the personal file for Mr. William Gregory Smith should have been here and any pertinent records for the material time should have been here when this witness is giving evidence so that those materials could have been put to him if his memory is foggy. It is a seventy-something year old man who has not serve in the army for quite a while. I mean there has to be fairness to the witness as well and fairness to everyone else that appears before the tribunal or Commission.

Mr. Chairman: Perhaps the witness can tell us whether what documentation he has, I am not aware, myself.

Mrs. Samuels-Brown: The Counsel.

Mr. Chairman: Sorry, the Counsel. But the records would have only been here if they were requested. There is no automatic sending of the record. They could only be here if requested.

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Mr. Pieters: Yes and the Commission should have requested those records and have them here.

Mr. Hanoman: The request for documentation from the Army is ongoing.

Mr. Chairman: But you do have some, I think?

Mr. Hanoman: Yes, we do have some.

Mr. Pieters: Because I know sitting where I am at all I have is the statement of William Gregory Smith, sorry, the statement of the Former Chief-of-Staff. I have nothing from the Army with respect to anything in this matter.

Mr. Chairman: What the Counsel is saying is quite appropriate in so far you have a witness in relation to a particular subject. Whatever you have, share. This is a public inquiry. Those of us who are here participating should be armed with all that you have. It is nothing that you have that we should not have. That is the point he is making and that is quite proper.

Mr. Hanoman: I think there is a bit of concerns that because some material has not been accepted by a witness and put into evidence that it might be a bit premature.

Mr. Chairman: I do not know that that is necessary the position in terms of the distribution of what you have, but go ahead and take note of the objection please.

Mr. Hanoman: Very well, we will endeavour to share what we have.

Mr. Pieters: Mr. Chairman, this is a role of fairness. I have particular concerns about my participation in this tribunal where a witness is here and questions are being asked and documents are not being provided. May be there should be an adjournment so that those documents could be provided. There is a serious concern about the particular fairness.

Mr. Hanoman: I do not think I have mentioned any document...

Mr. Chairman: I am not sure of any issue of fairness has arisen at this stage it would be at the time we took the mid-morning break to equip us all with copies of what you have.

Mr. Hanoman: Very well. Deserters would not be normally be transported by an army plane? Do you agree with that?

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Major General (Ret'd) McLean: No, I agree with that.

[Inaudible]

Mr. Hanoman: Well Madam Commissioner has made a good point unless it is to capture them and bring them back to face trial? During your tenure, as a Chief-of-Staff, there were many disciplinary procedures taken for people to be dismissed from the GDF. You agree with that?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: During your tenure as Chief-of-Staff, you would have caused persons who were Absent Without Leave (AWOL) and persons were deemed deserters to be actively sought after?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: In this particular case, you did not cause William Gregory Smith to be actively sought after, after you knew he has become a deserter. You agree with that?

Major General (Ret'd) McLean: If you say so.

Mr. Chairman: I think the question asked is whether you took steps or you did not.

Major General (Ret'd) McLean: No, I did not.

Mr. Chairman: Yes, I think that is appropriate but not, "If you say so".

Mr. Hanoman: Were you aware that statements were collected from the police who claimed that a GDF Highlander Plane had transported Gregory Smith to Kwakwani?

Major General (Ret'd) McLean: I do not know that.

Mr. Hanoman: As you sit here today you have never heard before that a GDF Plane...

Major General (Ret'd) McLean: I heard about that a week ago.

Mr. Hanoman: Let me suggest to you that it had become a very public issue that Gregory Smith had been transported to Kwakwani with an Army Plane by July, 1980 that had become a very public issue. You disagree with that?

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Major General (Ret'd) McLean: I am not aware of that.

Mr. Hanoman: You ever spoke to Captain Gerald Gouveia on this issue of transporting Gregory Smith to Kwakwani with an army plane?

Major General (Ret'd) McLean: That is what I heard a week ago.

Mr. Hanoman: You spoke to him about it?

Major General (Ret'd) McLean: He told me about that a week ago.

Mr. Hanoman: What did he tell you?

Major General (Ret'd) McLean: That he was being called to give evidence here and that is it about.

Mr. Hanoman: Did he tell you that he had transported Gregory Smith to Kwakwani with the GDF plane?

Major General (Ret'd) McLean: No, he told me that is what he is being called about.

Mr. Hanoman: Did you ask him if he did?

Major General (Ret'd) McLean: No, I did not.

Mr. Hanoman: Just for the purposes of the record, let me suggest to you that on the 14th June 1980 Gerald Gouveia transported, with one of your Army planes, William Gregory Smith to Kwakwani Airstrip.

Mr. Williams: Could he answer that?

Mr. Chairman: If he can, he can answer, if he cannot...

Mr. Williams: He has said categorically that he did not know. He does not know anything.

Major General (Ret'd) McLean: I do not know that.

Mr. Hanoman: Let me ask you something when you were Chief-of-Staff was there an army based at Kwakwani?

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Major General (Ret'd) McLean: No that I am aware of.

Mr. Hanoman: Do you have an idea why an army plane might be going to Kwakwani in those days?

Major General (Ret'd) McLean: I really do not know. We had 14 or 15 aircrafts in the Army at that time. Six or eight Highlanders, five Bell Helicopters, plus, plus. So I am not aware and there was a Commander in charge of the Air Corps.

Mr. Hanoman: These planes were for what purpose? Why did the Army had planes? Can you answer that?

Major General (Ret'd) McLean: For the operational logistics.

Mr. Hanoman: For Operational Logistics.

Major General (Ret'd) McLean: That is right.

Mr. Hanoman: You agree that it would be primarily for the transportation of active soldiers?

Major General (Ret'd) McLean: Not only, we did a lot of emergencies and mercy mission and mercy flights.

Mr. Hanoman: No, I was not saying it was exclusive used for that, but the army planes, you do not agree primarily, when you are speaking about persons, for the transport of active military personnel?

Major General (Ret'd) McLean: We did a lot of mercy missions at all hours of the night and day to bring mothers and pregnant people, people with snake bite, all sorts of other reasons. I do not know about those issues, the Commander of the Air Corp would handle those matters.

Mr. Hanoman: Let me ask you a simpler question: are you aware of army planes carrying active troops in them?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: So that is one of the purposes of the planes?

WALTER RODNEY COMMISSION OF INQUIRY

Major General (Ret'd) McLean: Yes, that is right. That is correct.

Mr. Hanoman: Are you able to say definitively whether William Gregory Smith was an active member of the Army on the 14th June, 1980?

Major General (Ret'd) McLean: I do not know that.

Mr. Hanoman: The Head of the Air Corps was free to send planes wherever he wanted to do whatever he wanted without any supervision from you?

Major General (Ret'd) McLean: That is not a proper question, but anyhow I would say to you that the Head of the Air Corps would have authority to deploy and dispatch aircrafts not for any reason, anything that he likes to do but certainly he does not have to report to me on any mission to take place?

Mr. Hanoman: Was there not a Standard Operating Procedure where you would meet the Head of these units, perhaps, at a weekly meeting and a report would be given to you?

Major General (Ret'd) McLean: No, monthly. They meet monthly. The Central Management Committee (CMC) you called it.

Mr. Hanoman: So you would meet just once per month with the Heads of those Departments?

Major General (Ret'd) McLean: Yes.

10.46hrs

Mr. Hanoman: Let me suggest to you that, at that time in 1980, you would meet weekly with the Heads of Departments and you would obtain reports from them...

Major General (Ret'd) McLean: Not true.

Mr. Hanoman: ...on their activities of the past week.

Major General (Ret'd) McLean: Not true.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Hanoman: Now, while you were the Chief-of-Staff, you would have received written reports with signatures on them from different persons in the Army, from several persons in the Army. Do you agree with that?

Major General (Ret'd) McLean: No. I do not necessarily agree.

Mr. Hanoman: Have you ever received a written report with a signature on it from McPherson for instance. Did you ever?

Major General (Ret'd) McLean: Maybe, yes, but you are saying that I get that every week. I am saying that does not happen.

Mr. Hanoman: No. I am moving away from that. I am not talking about the frequency now. I am asking you for while you were... For how many years were you Chief-of-Staff?

Major General (Ret'd) McLean: Over 11 years.

Mr. Hanoman: 11 years. Do you agree with me that over those 11 years, many times you would have seen documents with McPherson's signature on it? Do you agree with that?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: Are you acquainted with his signature?

Major General (Ret'd) McLean: If I saw it, I would recognise it.

Mr. Hanoman: I wish to refer to a document. Before showing it to the witness, I think that all the participants have received it and it is in a file that has been marked... It is one of those Special Branch files and it is an Exhibit in this matter and the tag is LJ/SB/WPA 1 and the document that I now wish to refer to can be located at page 74 in that file. May I continue? Yes, you could show it to the Lawyers, but I do not intend to show it immediately to the witness.

[The Court Marshal showed the document to Counsel]

Mr. Williams: It is in the file.

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Mr. Hanoman: Major General McLean, I am looking at what seems to be a Guyana Defense Force form and it is headed up *Account Form*. You are aware of this form?

Major General (Ret'd) McLean: No.

Mr. Hanoman: No. Not the details of this specific form. Are you aware of such a form...?

Major General (Ret'd) McLean: No. I am not.

Mr. Hanoman: ...existing in the Guyana Defense Force?

Major General (Ret'd) McLean: There maybe. I do not know.

Mr. Hanoman: There maybe.

Mrs. Samuels-Brown: Let me ask a question. If arms or ammunitions are being distributed within the Army, a record of that is kept? That would be the standard procedure that a written record is kept of the movement of arms whether into or outside of the Army?

Major General (Ret'd) McLean: There would be a record to show any such movement.

Mrs. Samuels-Brown: Thank you.

Major General (Ret'd) McLean: He is telling me about some form marked *Account*. I do not know.

Mrs. Samuels-Brown: I have moved away from that. In relation to those records, I would indicate perhaps who received them and who moved them from one place to another or to a particular person?

Major General (Ret'd) McLean: Yes.

Mrs. Samuels-Brown: Thank you.

Mr. Hanoman: You have an idea of the name that would be attributed to such a written record? You have admitted that a record would be kept about the movement of weapons and so on?

Major General (Ret'd) McLean: Yes.

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Mr. Hanoman: Do you have a name for the record in which it would be kept?

Major General (Ret'd) McLean: No. You would hardly expect me as Chief-of-Staff to know all the forms that are obtained in the GDF for whatever reason; requisition of ammunition forms, ration, whatever. I am not aware of it.

Mr. Hanoman: I would expect you to know as Chief-of-Staff whether weapons are moving from outside of the control of the Army. If weapons are going outside the control of the Army, that is something that you would keep a keen eye on?

Major General (Ret'd) McLean: I would be concerned about that.

Mr. Hanoman: You would be concerned about that?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: The form I am looking at has a number on it, *GDF Number 64* and, in brackets I think, *APP1954*. Giving you that description, are you able to better become aware of this form? But there were standard forms in use in the GDF...

Major General (Ret'd) McLean: Yes there would be standard forms.

Mr. Hanoman: That would have this sort of classification, a GDF number "so-so-so" and that sort of thing. Do you agree with that?

Major General (Ret'd) McLean: I cannot agree because I do not know what you are showing me. I have not seen it so I do not know what it is. I am saying, you do not really expect me as Chief of Staff to know all the forms which are in force in the GDF, over the last 20 - 30 years.

Mr. Hanoman: Well I would expect you to know, but in any case, you do agree that the army was utilising forms?

Major General (Ret'd) McLean: Yes. There are standard forms.

Mr. Hanoman: Standard forms utilised by the Army?

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Major General (Ret'd) McLean: Yes.

Mr. Hanoman: And you would consider that there would be a standard form that the army would use if weapons were being transferred from one place to the next?

Mr. Williams: He said so already you know. I think the Counsel should be getting on to use your term, Mr. Chairman. This witness has answered that same question about five times and the question that he last answered was that as Chief-of-Staff, he could not know all the forms in the Army. I do not understand if that was not clear, but we need to get on.

Mr. Hanoman: Now, the transfer of weapons to organisations outside of the GDF, would be something that you would have to approve before it is done as Chief-of-Staff?

Major General (Ret'd) McLean: That I would have to approve?

Mr. Hanoman: Yes.

Major General (Ret'd) McLean: I do not see us transferring weapons to some other agency other than within the disciplined framework or the military framework.

Mr. Hanoman: Let me put it another way. As Chief-of-Staff, you would not allow any of your subordinate ranks to give weapons to a non-military organisation?

Major General (Ret'd) McLean: No.

Mr. Hanoman: Do you agree with that?

Major General (Ret'd) McLean: I agree with that.

Mr. Chairman: Counsel, you are sure you did not want to ask him whether he can recognise McPherson's signature.

Mr. Hanoman: That is my next step.

Mr. Chairman: And now put it to him.

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Mr. Hanoman: Yes. I wish to show you now the signature of what purports to be McPherson signing a form, to see if you can identify the signature.

[Court Marshal showed the witness the form]

Mr. Hanoman: At the bottom of that form, does that appear to be McPherson's signature?

Major General (Ret'd) McLean: No. I do not think so.

Mr. Hanoman: It does not appear.

Major General (Ret'd) McLean: No.

Mr. Hanoman: Can you say...

Major General (Ret'd) McLean: And maybe what you should do is get a 'finger print person' because this does not seem to be McPherson's signature at all.

Mr. Chairman: Counsel, I propose that we take a mid-morning break and come back at around 11:20hrs.

Mr. Williams: Mr. Chairman, before you go to that, could the witness identify that document he was shown please? Could we have a specific identification of the document he was just shown?

Mr. Hanoman: I am grateful. Are you looking at a document that is headed up Guyana Defense Force Account Form?

Major General (Ret'd) McLean: Yes.

Mr. Williams: The date?

Mr. Hanoman: Do you see that the form seems to have the date 24th June at the top as well as at the bottom of the form?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: Sorry, 1979.

Major General (Ret'd) McLean: That is correct.

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Mr. Chairman: Okay, we will take up all of those issues...

Mr. Williams: Okay, we will resume on it? As it please you, Sir.

Mr. Chairman: Okay, we will return to that when we come back.

Hearing Suspended at 10.58hrs

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Hearing Resumed at 11.41hrs

Mr. Chairman: I propose resuming this session in about half of a minute so please get yourself to your stations. Counsel, are you ready to resume your questioning of Major General McLean?

Mr. Hanoman: Yes, Sir.

Mr. Chairman: Please proceed.

Mr. Hanoman: I think the last question had to do with the non-recognition of a signature on the form so I would continue...

Mr. Williams: The identification of the document, Mr. Chairman.

Mr. Hanoman: Thank you. Mr. McLean, in June 1979 is it conceivable...?

Mr. Williams: No, Mr. Chairman we had not completed identifying the document you said we would do so on the resumption. The document that was shown to Mr. McLean and which he said he did not recognise the signature of Mr. McPherson; could we have that document properly identified?

Mr. Chairman: I think that Mr. Williams recalled where we were, is quite accurate.

Mr. Hanoman: I thought it was already properly identified. I think that it is an exhibit in a matter...

Mr. Chairman: In the midst of the whole process I introduced the break because at one point Mr. Williams was suggesting that perhaps we needed just to complete it. In the middle of the process I introduced the break. So you may want to pick it up from there. What is your junior's last note?

Mr. Hanoman: Just for the purpose of the record the document that has been referred to the witness, is a document with the Heading *Guyana Defence Force Account Form*; has the date the 24th June, 1979 on it...

Mr. Chairman: He said he did not recognise the signature of that of a particular officer.

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Mr. Hanoman: ...of a particular officer and there is in the document a description of weapons and it is part of the Special Branch file and it has been tagged LJ/SB/WPA 1...

Mrs. Samuels-Brown: On what page is it found on?

Mr. Hanoman: It is found on page 74. I was going to ask, Mr. McLean, do you have the document with you? There are some articles mentioned in this document namely "G3 rifles, G3 Bayonets, 7.62 ammo, Browning pistols and a 9mm long". Those articles mentioned, conceivable, they could have formed part of the weaponry...

Mr. Williams: Mr. Chairman, could I object to this? This Witness was shown a document for the purposes of identifying a signature. He has in fact said it is not the signature of the person who he was asked. How could we now go to the contents?

Mr. Hanoman: This document is an exhibit already.

Mr. Williams: If he says that that is not the signature of the person McPherson... because if he does not identify the signature as McPherson that document has no value; it is valueless.

Mr. Hanoman: This is an exhibit that was submitted...

Mr. Williams: It is an exhibit for identification purposes.

Mr. Hanoman: And I can make what use of it as I choose having it...

Mr. Williams: No, the exhibit is for identification purposes, *stricto sensu*. That is why you had to put it to him for him to identify the signatures so you are going to come with documents that no one could identify the signature and they come alive? They are only there for identification. If that signature is not identified, it is not evidence; the contents cannot be evidence.

Mr. Chairman: I am not so sure that I am strictly with you. The fact is that this particular Witness cannot identify it does not mean that it will not be identified in the course of our hearings but even from the point of view of the public, "What document is that that he is showing the Witness?" [*Inaudible*] No, I am posing the question which, if I were following the proceedings, I would want to know and I do not know there is any harm in saying this is a document that purports to be from 'so and so', it bearing a name of 'so and so' and it relates to

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items of ammunition. I do not know that he cannot say that at this point, but the fact that this witness does not acknowledge or recognise the signature does not prevent another witness or witnesses from acknowledging it, but I think the Witness wants to help.

Major General (Ret'd) McLean: I had said, with due respect, Sir, I had asked that we should probably get a finger print expert to identify because this does not by my recollection... Remember McPherson is dead and I do not know how long he is dead, but this does not appear to be his signature and I believe that we should have somebody authenticate to say whether this is any recollection of...

Mr. Chairman: Apart from that, the form itself, you seem to recall, was a form of the Guyana Defense Force?

Major General (Ret'd) McLean: It says, "Guyana Defence Force Account form" GDF number' whatever it is'. I mean, as Chief-of-Staff, all these details I hardly would know that this is the right form but certainly it would appear to be a GDF form; I have no problem that.

Mr. Chairman: On the surface of that it appears to be.

Major General (Ret'd) McLean: That is correct.

Ms. Samuels-Brown: Counsel, were you intending to ask the witness about the particular arm mentioned or in relation to whether this type or calibre of arms was kept by the Defense Force. There are two separate files. Which is the one you are...?

Mr. Hanoman: I agree, the second one that the type weaponry that could conceivably form part of the GDF equipment at the time if I could be allowed to ask that question...

Mr. Chairman: I think that you are speaking with your head now and the movements, but you are not using your mouth, Sir. I think I understand what you are saying but can we hear your voice?

Major General (Ret'd) McLean: G3 rifles were the standard weapon which was brought in for the GDF. There are others, of course, SLR rifles and what have you but certainly the G3 and the bayonet would be weapons that came in for the Guyana Defense Force.

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Mr. Chairman: It seems to be the type of voice that we would like to hear in the church choir so you must let us hear it more often. Please precede, Counsel.

Major General (Ret'd) McLean: And 7.62 ammunition is generic; it is what goes with the weapon.

Mr. Hanoman: Do you recognise any of the signatures on that form?

Ms. Samuels-Brown: Sorry, I see Browning pistols mentioned here. Did the witness speak to that?

Mr. Hanoman: The GDF would have had Browning pistols.

Major General (Ret'd) McLean: Yes but other people would have had that as well. Browning pistols, 9mm long ammunition; those were generic things.

Mr. Hanoman: Just for clarification this form is dated at a time when you were not Chief-of-Staff is that correct? If you were to presume that that was the date...

Major General (Ret'd) McLean: That is right. You are quite in order. I was not yet Chief-of-Staff.

Mr. Hanoman: You were not yet Chief-of-Staff?

Major General (Ret'd) McLean: Correct.

Mr. Hanoman: Do you know in June 1979 who would have been the proper person to sign a form such as this, handing over weaponry? Would you know, or not?

Major General (Ret'd) McLean: There are quite a few signatures here, Accounting Officer, Store Account Officer, but I do not recognise any of those signatures at all and I do not recognise this as McPherson's signature and we do not know which command he was talking about; "Commanding Officer of 'what'?" I do not see that here right now.

Mr. Hanoman: On the same form do see an army number and a rank mentioned alongside McPherson's name at the top?

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Major General (Ret'd) McLean: No, I do not see that either.

Mr. Hanoman: Just above the description of articles. Do you see the name McPherson?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: To the left of that in the column under "rank" do you see an abbreviated form of "Major" written there?

Major General (Ret'd) McLean: Under rank, where? I do not see that.

Mr. Hanoman: Just before McPherson to the left of it.

Major General (Ret'd) McLean: To the left? The left is "station - Thomas Lands", the date 24th June 1979, I do not see...

Mr. Chairman: ...the column in which there is the name in the centre of the column, left to right, name and then under the column up to the top of the document right by your finger there now. Look across there and you see "name".

Mr. Hanoman: Do you see the name "McPherson" there?

Major General (Ret'd) McLean: Yes, at 9142. I see it there now.

Mr. Hanoman: It looks as though the rank is...

Mr. Chairman: To the left of McPherson's name...

Major General (Ret'd) McLean: It looks like M-A-J. It could be interpreted to be Major.

Mr. Hanoman: Let me ask you, do you know whether in June 1979 Mr. McPherson was a Major?

Major General (Ret'd) McLean: I do not know.

Mr. Hanoman: You do not know?

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Major General (Ret'd) McLean: No, how would I know? I was not there, first of all. He ended up being a Colonel, but I do not know when he was promoted to Lieutenant Colonel and when he went to Colonel, but it maybe that he was here as a Major at that time. I do not know.

Mr. Hanoman: When you went into the Army a month after you do not know whether he was a Major then neither?

Major General (Ret'd) McLean: No.

Mr. Hanoman: Okay. Can you verify his number whether it was 91... You know his signature well. Would you know his number well, 914...?

Major General (Ret'd) McLean: I am not sure.

Mr. Hanoman: You do not know if that was his number?

Major General (Ret'd) McLean: I do not know if that was his regimental number. For instance mine was 9375, which is long after.

Mr. Chairman: You do not forget your number. [*Laughter*]

Mr. Hanoman: When you became the Chief-of-Staff who would have been the proper person to sign a form handing over weapons and such like? You have mentioned...

Major General (Ret'd) McLean: This says "INT" that means, from my understanding the Intelligence Corps.

Mr. Hanoman: Mr. McPherson, as far as you are aware, was the Head of the intelligence core in June 1979?

Major General (Ret'd) McLean: I do not know.

Mr. Chairman: That speaks "INT" to the unit?

Major General (Ret'd) McLean: Yes.

Mr. Chairman: From which the weaponry might have been gotten? Is that correct?

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Major General (Ret'd) McLean: This form emanates from "INT", according to this form.

Mr. Hanoman: Yes. McPherson was the Head of the intelligence unit at...

Major General (Ret'd) McLean: At what stage? I do not know when?

Mr. Hanoman: ...July 1979 when you took when you took over the army?

Major General (Ret'd) McLean: I am not sure.

Mr. Chairman: I recognise that you...

Major General (Ret'd) McLean: As I had told you before, from my recollection, Major Harmon would have been the Commanding Officer in my time. I am not sure when McPherson moved, if he was there at all, so I do not know.

Mr. Chairman: I do not think that you answered the question that I posed that whether the indication of the Intelligence Unit that the weaponry came from? Is that a reasonable interpretation?

Major General (Ret'd) McLean: No. The request may be originating from him, but I would not come from there. It would have to come from the Quarter Master Stores or where the weapons armoury and what have you would be.

Mr. Chairman: So the mentioned of Intelligence Unit there only indicate that the Unit made the request.

Major General (Ret'd) McLean: Yes, that is right.

Mr. Chairman: Okay, thank you.

Ms. Samuels-Brown: May I, Counsel, interject again. Who is an Accounting Officer as designated at the bottom right hand corner form, NOT the individual, but within the Army? The Accounting Officers do what?

Major General (Ret'd) McLean: This says, "signature of Stores Account Officer" that is what the typing there indicates.

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11.56hrs

Mrs. Samuels-Brown: No, above that, it says “signature of Accounting Officer”...

Major General (Ret’d) McLean: I am trying to ...

Mrs. Samuels-Brown: Who is that Accounting Officer?

Major General (Ret’d) McLean: It says “for something”, I do not know who that is and for ...

Mrs. Samuels-Brown: I do not think you are following me ... just above where it says “signature of Store Accounting Officer” ...

Major General (Ret’d) McLean: Yes.

Mrs. Samuels-Brown: ... where the lines are ...

Major General (Ret’d) McLean: Yes.

Mrs. Samuels-Brown: ... table to the right hand of the document, it says, “signature of Accounting Officer”.

Major General (Ret’d) McLean: Yes, I see that.

Mrs. Samuels-Brown: I am not trying to get the identity of the person, I am trying to understand what role or position an accounting officer, in this context, would be playing.

Major General (Ret’d) McLean: I cannot answer that, I really do not know.

Mrs. Samuels-Brown: Did the Army have persons who operated as accounting officers?

Major General (Ret’d) McLean: Accounting Officers would normally be Finance but this is not Finance. This is weaponry and ammunition. So, it does say ‘for’ ... “f-o-r something”, but I cannot make out what that is.

Mrs. Samuels-Brown: Okay, so the Accounting Officers normally would find be Finance.

Major General (Ret’d) McLean: No.

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Mrs. Samuels-Brown: What about ... on the bottom now, the signature of Store Accounting Officers, the Army had Store Accounting Officers?

Major General (Ret'd) McLean: Yes, they would have.

Mrs. Samuels-Brown: And what role would a Store Accounting Officer play in the context of the distribution?

Major General (Ret'd) McLean: I would imagine record keeping.

Mrs. Samuels-Brown: Thank you very much.

Mr. Chairman: Following up on a question that I had asked earlier about the Intelligence Unit.

Major General (Ret'd) McLean: Yes?

Mr. Chairman: Would they normally be requesting rifles? The Intelligence Unit?

Major General (Ret'd) McLean: Possibly.

Commissioner [Mr. Seenath Jairam, S.C.]: Major General McLean, the same ...

Major General (Ret'd) McLean: That is ... a rose by any other name has thorns. [*Laughter*]

Mr. Jairam: You are very lyrical ... waxing lyrical. The very last signature, would it assist ... I do not know the abbreviation ... I am not sure, the last signature ... is it 'for Head of PLSS'? Does that help you?

Major General (Ret'd) McLean: "For Head of ..." it looks that way, but I do not know. I really do not know.

Mr. Jairam: You do not know what the abbreviations are for?

Major General (Ret'd) McLean: No.

Mr. Jairam: Okay.

Major General (Ret'd) McLean: It could be MSS as well, I do not know.

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Mr. Jairam: Yes. It could be PLSS or MISS. Yes.

Major General (Ret'd) McLean: MSS, I do not know.

Mr. Jairam: Thank you.

Mr. Hanoman: Okay, moving on from that ...

Mrs. Samuels-Brown: You are moving on from the form?

Mr. Hanoman: Yes, please.

Mrs. Samuels-Brown: I would just like to ask a few more questions. It says, "Station Thomas Lands ..." what land is that on the left hand side?

Major General (Ret'd) McLean: That is where Ayanganna is based in Thomas Lands.

Mrs. Samuels-Brown: Okay.

Major General (Ret'd) McLean: Camp Ayanganna ... that is the main base, Camp Ayanganna.

Mrs. Samuels-Brown: Thank you.

Major General (Ret'd) McLean: Thomas Lands.

Mrs. Samuels-Brown: There is an abbreviation on the form PNC, you see that?

Major General (Ret'd) McLean: Yes.

Mrs. Samuels-Brown: Was there a department in the Army which bore that ...

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: ... initials?

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: There is a note on the form "House of Israel" ...

Major General (Ret'd) McLean: ... Israel, that is right.

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Mrs. Samuels-Brown: House of Israel was not an affiliate of the Army?

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: To your knowledge, did the Army and the House of Israel collaborate ...

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: ... so as to necessitate the distribution or sharing of arms?

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: According to the policies by which the Army operated, when you became in charge of the Army, would it have been appropriate for the Army to be distributing arms to the House of Israel?

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: Thank you very much.

Mr. Hanoman: Mr. McLean you had earlier referred to Gregory Smith as a deserter. So what I want to ask you is, in terms of procedure in the GDF existing at the time, how would one have become a deserter? How would one reach that stage? I imagine that somebody would first of all report that the person is absent ...

Major General (Ret'd) McLean: AWOL, Absent Without Leave.

Mr. Hanoman: ... and ...

Major General (Ret'd) McLean: After a number of days he would be deemed a deserter.

Mr. Hanoman: Okay, just let me clarify that. If it is for instance that Gregory Smith was a part of the Maritime ...

Major General (Ret'd) McLean: ... Corps.

Mr. Hanoman: ... Corps.

Major General (Ret'd) McLean: Correct

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Mr. Hanoman: While we are on that, you did confirm that in fact he was in the Maritime Corps when he was in the Army, is that correct?

Major General (Ret'd) McLean: That is what I was told.

Mr. Hanoman: That is what you were told?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: You never sought to confirm that?

Major General (Ret'd) McLean: If my Commanding Officer tells me that this man has been a deserter, I do not want him to come and dot 'I's and cross 't's and tell me, look this is the document. He tells me that and I will accept it.

Mr. Hanoman: You will accept it?

Major General (Ret'd) McLean: Yes.

Mr. Chairman: I am concerned to know whether he was a deserter as of 13th June, 1980.

Mr. Hanoman: Yes.

Mr. Chairman: You know when his status as a deserter started?

Mr. Hanoman: Thank you, Mr. Chairman.

Mr. Chairman: It might be useful to have.

Mr. Hanoman: I think that as I earlier mentioned, did you know when he became a deserter?

Major General (Ret'd) McLean: No.

Mr. Hanoman: How did you become aware that he was a deserter?

Major General (Ret'd) McLean: How did who come ...

Mr. Hanoman: You.

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Major General (Ret'd) McLean: From Major Lewis, who was the ... as I indicated the person responsible for Admin and Quarterly because the GPD, General Personnel Department would have fallen under that.

Mr. Hanoman: Okay, if I could go back to the procedure, would it be correct for me to suggest that the unit to which Gregory Smith would have been attached, meaning the Maritime Corps, if he failed to show up for duty, the head of that unit, would communicate that to the Personnel Department, is that correct?

Major General (Ret'd) McLean: Eventually it would happen. The procedure would be that somebody in the Maritime Corps would have checked for him, "well why is Smith not on duty?"

Mr. Hanoman: Yes.

Major General (Ret'd) McLean: And after a time, he will be deemed not only being Absent Without Leave, but deemed a deserter, but I think that there is some timeframe within which that will happen and then a report will go to Headquarters.

Mr. Hanoman: So, after a soldier would have been absent from a period ... you do not know that period?

Major General (Ret'd) McLean: No, I ...

Mr. Hanoman: Could it be 30 days or some such period?

Major General (Ret'd) McLean: I do not know what it was.

Mr. Hanoman: But automatically, information would go to the Personnel Department and then that person would be deemed, a deserter?

Major General (Ret'd) McLean: Well, that is how I understand it.

Mr. Hanoman: When the Personnel Department would have deemed him a deserter that would also have generated some other action?

Major General (Ret'd) McLean: Maybe, the Police would go to look for him.

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Mr. Hanoman: The next thing, the Military Police would be duty bound ...

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: ... to go and look for him?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: Would it also be correct that Force Orders I think, were generated to the effect that this person, William Gregory Smith, is now deemed a deserter? Am I correct in my terminology, I am not sure ... Force Orders, is that the correct terminology?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: So you agree with me?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: That a Force Order would be generated deeming Gregory Smith a deserter?

Major General (Ret'd) McLean: Deserter, probably, most likely.

Mr. Hanoman: Would also, in terms of publishing the fact that Gregory Smith may have become a deserter, would it not also be normal to perhaps put it in the regular print media?

Major General (Ret'd) McLean: No.

Mr. Hanoman: In the newspapers of the day?

Major General (Ret'd) McLean: No.

Mr. Hanoman: It would not be normal?

Major General (Ret'd) McLean: No.

Mr. Hanoman: What were the effects of the Force Orders? Would that be to notify all persons in the Military that look, this man Smith is now a deserter and if you see him, you should arrest him?

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Major General (Ret'd) McLean: I think it would be something more than that because suspension of his pay, that he would not be put on the payroll, those are the sorts of things that will follow that Force Order.

Mr. Hanoman: So once the Force Order deems him a deserter, a step that is taken would be for him to be struck off the payroll, so to speak?

Major General (Ret'd) McLean: He would not be struck off strength, which is the terminology used SOS.

Mr. Hanoman: Okay.

Major General (Ret'd) McLean: But he would not any longer be on the payroll to draw pay.

Mr. Hanoman: Right.

Major General (Ret'd) McLean: The military police would then probably have a list, where they would probably go and look for him, but if you have enough people there, you know, you will do it a week maybe and then after that, you know, unless somebody comes and gives information, that is it.

Mr. Hanoman: So the Army would not normally pay, would not give a soldier who is a deserter ...

Major General (Ret'd) McLean: No. Once the Order is issued, I think they will find that you will be taken off the payroll.

Mr. Hanoman: Okay. In this particular case, with reference to Gregory Smith, can you recall seeing any Force Order that would have deemed him a deserter? You cannot remember seeing that?

Major General (Ret'd) McLean: No.

Mr. Hanoman: But you would have expected that to happen?

Mr. Chairman: Please speak with your mouth.

WALTER RODNEY COMMISSION OF INQUIRY

Major General (Ret'd) McLean: Yes, no, I do not recall ...

Mr. Hanoman: But in the normal ...

Major General (Ret'd) McLean: I would hardly recall ...

Mr. Hanoman: I understand.

Major General (Ret'd) McLean: In 8,000 men, you would have 100 or whatever it is, shown as a deserter because it would trigger my bothering with that at all. It is not something I would focus on or pay any attention to.

Mr. Hanoman: If you were to be shown an extract from a payroll book, that may assist you in determining when he had become a deserter? The timing of it?

Major General (Ret'd) McLean: You are putting me into *la-la land* there. I do not know.

Mr. Chairman: He cannot help us on that, but how relevant is that to our proceedings, I mean, does it terribly matter whether he was a deserter or not?

Mr. Hanoman: I think the period at which Mr. Gregory Smith moved from being an active soldier to being a deserter is very important in reference to June 1980. Whether he was an active member of the Army or whether he was a deserter. I think it would have been a pivotal issue.

Mr. Chairman: Well, you may not have called the appropriate officer. I do not think that man at the Head of 8,000 men may know that, but having given notice, you may seek to bring the appropriate office here.

Mr. Hanoman: On that point as I am guided, who would be ... you said that the appropriate officer to tell us that is now deceased.

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: Can you think of any other officer?

Mr. Chairman: But even though the officer is deceased, there might be his successor or two places forward, may still have records. Do you understand what I am saying?

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Mr. Hanoman: Yes, but the payroll records may be a useful guide for you to see when you had stopped paying this man. You agree? From the time he stopped receiving money and if he received money during the relevant period, it could help you to decide whether he was active or a deserter. You agree?

Major General (Ret'd) McLean: I agree.

Mr. Hanoman: One moment please, I am trying to look for the correct form.

Mr. Williams: Is that the form being circulated to us? Or that form was before the Major General's time? Just in case you want to proceed on that, we will waste time on it. He has already said a document you showed him before his time. This one is the 24th May, 1979. He was not appointed as yet.

12:14hrs

Mr. Hanoman: Do you have a name for the book? You referred to it as the "payroll book"?

Major General (Ret'd) McLean: I did not refer to it as anything.

Mr. Hanoman: No, I am asking you: Do you have a name that you would call a book that list the payroll of the members of the Army? Do you know of a name?

Major General (Ret'd) McLean: Pay sheet, payroll, I do not know, whatever it is. I do not know.

Mr. Hanoman: Okay. That payroll you would imagine has the regulation number, the rank and the names of the person receiving pay and the amount of money that is being received? Do you agree that, in a normal scheme of things, that that type of information would be listed in columns and rows and so on?

Major General (Ret'd) McLean: Yes, Sir.

Mr. Hanoman: I wish to show to this witness a document that purports to be such a document with a date on it, if permitted.

[Court Marshall handed document over to Mr. McLean]

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Mr. Hanoman: The document that you are currently looking at, Mr. McLean, do you see it bearing a stamp with the date on it, 24th May 1979?

Major General (Ret'd) McLean: Correct.

Mr. Hanoman: I should ask you; does this have the appearance of the document you described, of a page from the payroll book?

Major General (Ret'd) McLean: I assume so. I have never seen one, to tell you the God's truth. I have never seen one, but this would seem to be a pay sheet which lays out the number, rank, name, of a person, dated 24th May, 1979, which was before my time.

Mr. Hanoman: I do understand that. Do you recognise the date 24th May, 1979, on that form?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: Do you recognise a reference being made to a sergeant Smith...?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: ...with the rank number 4141?

Major General (Ret'd) McLean: Correct.

Mr. Hanoman: From the other information, in terms of the money listed, does it look as if Sergeant Smith, 4141, was actually receiving pay, according to the document that you are looking at?

Major General (Ret'd) McLean: I do not know if he was receiving pay. What I see here is a 'cut and paste'...

[Laughter]

...and it does not have a signature.

Mr. Hanoman: What do you mean by cut and paste?

WALTER RODNEY COMMISSION OF INQUIRY

Major General (Ret'd) McLean: If you look at the end of it, you could see that this is a different thing that was put onto a page.

Mr. Hanoman: Perhaps I can show you a better copy?

Major General (Ret'd) McLean: Maybe, this is clearly a cut and paste.

Mr. Hanoman: *[Laughter]* Could I...?

Mr. Williams: That is very serious. It is very serious if he has the witness...

Mr. Pieters: Mr. Chairman, excuse me, before the Marshall...

Mr. Chairman: I am hearing several voices simultaneously. Come on, what is happening?

[Court Marshall handed Mr. McLean the document]

Mr. Pieters: Mr. Chairman, before the witness sees that document, Counsel should see it. I have not seen the document that the witness is being shown.

Mr. Chairman: I thought that was standard procedure.

Mr. Pieters: I have not seen the document that the witness is being shown.

Major General (Ret'd) McLean: This is also a cut and paste. What we have is a page and somebody has put on and copied additional information on the side. That is what I call a "cut and paste".

Mrs. Samuels-Brown: Has Mr. Pieters been shown the document? He needs to be shown the documents.

Major General (Ret'd) McLean: It is not an original.

Mrs. Samuels-Brown: Counsel, could you show the documents?

Mr. Hanoman: Very well.

Mr. Pieters: Obviously, the procedure here is different and I will just go along with the procedure of this Commission.

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Mr. Williams: Mr. Chairman, let me say this....

Mrs. Samuels-Brown: Mr. Williams, just before....

Mr. Williams: Yes, Please.

Mrs. Samuels-Brown: ...Just to clarify the matter with Mr. Pieters; the document that was shown to the witness is it already in evidence? 'Yes' or 'no'?

Mr. Hanoman: No.

Mrs. Samuels-Brown: What is the source of the document, where did the Counsel get it from, or the Secretariat got it from?

Mr. Hanoman: It was photocopied from a very large book.

Mrs. Samuels-Brown: From whom did you get that book?

Mr. Hanoman: The GDF.

Mrs. Samuels-Brown: Thank you very much. Was it served on Counsel prior to today?

Mr. Hanoman: No, I do not think so... only today.

Mrs. Samuels-Brown: This morning?

Mr. Hanoman: Yes.

Mrs. Samuels-Brown: Or just now?

Mr. Hanoman: Just now.

Mrs. Samuels-Brown: Before we started?

Mr. Hanoman: Before the break I think.

Mrs. Samuels-Brown: Mr. Pieters, have you seen the document, no?

Mr. Pieters: This entire document here, I do not have possession of it.

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Mrs. Samuels-Brown: Alright. Counsel, could you seek to correct it as soon as possible?

Mr. Hanoman: Very well.

Mrs. Samuels-Brown: Sorry, Mr. Williams.

Mr. Williams: Yes, I was just saying that basically this is a bald document and we only know what this document purports to be because Counsel has supplied that information from the bar table. If he wants to supply any document from any institutions, and he wants to do it via photocopy; by practice, he has to bring the original – the book or whatever - to show us, and the extracts to verify that they came from that book. Then he takes back the book because we do not intend to keep the records of a Disciplined Force. In cases involving the GPF, they do the same thing. You bring the record, make a copy, and then you could verify that it came from that book. Surely, they could not bring a document that is untitled to this Commission then purports to tell you what it is. There are a set of other documents that are blank, with no signatures on them. I do not know where we are going. In any event, this thing about asking this Witness about documents that were before his time; I do not think it is proper also. We have to do better than this. These documents as they are now... The authenticity of the documents have not been established.

Mr. Hanoman: Mr. Chairman, we are undertaking to bring the person who delivered this big book, subsequent to Mr. McLean giving evidence. We want to seize the opportunity as Mr. McLean is here now in the witness box only to show him and we are giving an undertaking that the soldier who brought this big book to be photocopied will return with the book, but at this point...

Mr. Chairman: What are you hoping to establish, though, that Smith was working in the Defense Force and that he was paid up to a certain time?

Mr. Hanoman: Yes. That is what we are hoping to establish.

Mr. Chairman: Are you sure on the whole that you are not asking this of the wrong witness?

Mr. Williams: Exactly.

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Mr. Chairman: As the Head of an organisation of 8,000... It is a big issue to you and to us, but as he said, he might not even know or heard about it. He said he only heard a thing a week or two ago. You may think it is a big issue and we are involved in it and for us it is a big issue. When you head 8,000 people, every level people are getting into trouble every other week. No, it is no joke – 8,000 people. Some are charged with murder, some are charged with all sorts of things. You may hear about it along the way or so on, but to him it is not a big issue. I do not know, he may know about it given where he was in the organisation. Make the best use of him whilst he is here, but I think we may have to get another witness lower down who was immediately in charge of Smith to help us.

Mr. Hanoman: I am guided, Mr. Chairman. I wish to address a comment made by the Witness a moment ago, by further questions.

Mr. Chairman: Yes, go ahead.

Mr. Hanoman: If documents are photocopied from a big bound volume, you would expect when the photocopies are made that you may also have in the photocopy, some parts of previous pages; do you agree with that?

Mr. Pieters: That is not a question for the witness to answer.

Mr. Hanoman: Why not?

Mr. Chairman: I do not understand why it is not a question. He either can answer, or he does not.

Major General (Ret'd) McLean: I do not understand the question. What I saw there could be the representative of a bound document, which is the payroll and I would expect to see a signature for all those persons who are drawing pay. I do not see those, but I see that you have tried – I do not know why – to marry a piece of it with the main document. That is all I was asking when I talked about a cut and paste. I am not challenging the veracity of the documents by any means, but I would certainly like to see the original, if you want to ask me something about that. I do not know what the point is that is being made, to tell you the truth.

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Mr. Hanoman: Okay. At some stage, when you may have been trying to discern the activities of Gregory Smith within the Army's structure, did you learn that Gregory Smith had been sent abroad for overseas training in England?

Major General (Ret'd) McLean: How could I answer that? I could answer by saying I have seen that he was sent to the HMS Collingwood, in England, which is where we sent people for single training, and what have you and that is it. That was some time ago. I do not even know what time that was. That was long before my time.

Mr. Hanoman: What I am getting at... When people join the Army in the first instance, is there a period of time they were expected to remain members of the army?

Major General (Ret'd) McLean: There are bands of three years.

Mr. Hanoman: From the time you first enlist, it is expected...

Major General (Ret'd) McLean: ...you are bound for three years.

Mr. Hanoman: ...you are bound for three years?

Major General (Ret'd) McLean: Three years. Then you can renew that for the next three years or you can sign for six so it goes on in bands of three.

Mr. Hanoman: Bands of three?

Major General (Ret'd) McLean: That is correct.

Mr. Hanoman: Is it not also correct that when persons, when soldiers are sent abroad for training, that it is expected that that person will also be bound to serve the Army for a further period. Do you agree with that?

Major General (Ret'd) McLean: I am not aware that that is necessary, Sir. He was not going to be contracted because he went on a six months course or something like that.

Mr. Hanoman: Do you not agree that the Army would have wanted to discourage persons from going on overseas training then, promptly leave the Defense Force on the return. Do you not believe the Army would have wanted to discourage that?

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Major General (Ret'd) McLean: Binding someone in a contract does not mean that they would not abscond, anyhow.

Mr. Hanoman: That is not my question

Major General (Ret'd) McLean: What is the question?

Mr. Hanoman: Would the army not have wanted to discourage...?

Major General (Ret'd) McLean: "wanted to".

Mr. Hanoman: ...persons who were sent on overseas training from immediately leaving the Defense Force after such training?

Major General (Ret'd) McLean: It is a valid expectation, but what I am saying to you is that it does not mean that the person would not abscond.

12. 29hrs

Major General (Ret'd) McLean: I have been in an institution for instance, at GuyMine, Mr. Hassling Parris has send people on overseas training for there, four years.

Mr. Hanoman: Sorry to cut you Mr. McLean, do you understand the question?

Mrs. Samuels-Brown: He has answered you Counsel; he has that that is a valid expectation. He has answered.

Mr. Hanoman: The question is whether the Army had wanted to discourage persons...

Mrs. Samuels-Brown: And he said yes Counsel.

Mr. Hanoman: Do you agree with that?

Mrs. Samuels-Brown: He said yes, Counsel.

Mr. Hanoman: Let me suggest to you that it was a necessary prerequisite for somebody who is going to be sent on overseas training for them to formulate, extend their service for a further

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period. If they did not do that, they could not have gone on overseas training. That is what I am suggesting to you.

Major General (Ret'd) McLean: I am not aware of that. You do not want to give examples but I went to Panama where we have 12 men trained Aeronautical Engineers and on their way back, they disappeared in Miami. You know, you can bind, but it does not mean that the person does not abscond that is the point I am making that is all that I was saying.

Mr. Jairam: All 12?

Major General (Ret'd) McLean: No, the majority will come back, but there always one or two who on their arriving in Miami, on their way back home, you do not see them again.

Mrs. Samuels-Brown: Sorry, those who have absconded, who you are speaking of, were they bound, were they prerequisite?

Major General (Ret'd) McLean: Of the 12 that I am talking about?

Mrs. Samuels-Brown: The once that have absconded?

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: They had no prerequisite.

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: Alright, thank you.

Mr. Hanoman: Do you agree that the fact that somebody may have received overseas training and then absconded shortly after, would cause the Army to try and find that person even more actively than the normal person who deserted?

Major General (Ret'd) McLean: I would say yes.

Mr. Hanoman: You have no idea when Sergeant Gregory Smith went for overseas training, do you?

Major General (Ret'd) McLean: No, I was not in the GDF.

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Mr. Hanoman: You have any idea as to the period of training that he would have gone through overseas?

Major General (Ret'd) McLean: You are putting me into a fishing trip. Really I do not know.

Mr. Hanoman: Well just say that and we will move on. Do you agree with me that the longer the period of overseas training, the longer that person is expected to come back and serve?

Major General (Ret'd) McLean: There were some contractual arrangements that were established especially where you have somebody going for two years training or what have you. Yes, I went on training, but I was never bound, I was never contracted in any way.

Mr. Hanoman: Can you recall where you were on the 13th June, 1980?

Major General (Ret'd) McLean: 13th June?

Mr. Hanoman: Can you recall when you first heard about the explosion that caused the death of Walter Rodney? Can you remember when you first heard the death?

Major General (Ret'd) McLean: I think either the night or the morning of the following day.

Mr. Hanoman: May I respectfully suggest to you that you were at a function which involved Diplomats on the night of the Friday, 13th June, 1980 when you first learnt about the explosion that killed...

Major General (Ret'd) McLean: I do not think so.

Mr. Hanoman: You cannot remember where you were that night? Can you?

Major General (Ret'd) McLean: I do not recall; to tell you the truth.

Mr. Hanoman: When you first got the information, it was told to you that Walter Rodney had died?

Major General (Ret'd) McLean: On the morning, yes, I heard so.

Mr. Hanoman: You now wish to positively state that you heard about that the following morning, as opposed to the night?

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Major General (Ret'd) McLean: Either the night or the morning there was the difference between one, two, three...

Mr. Hanoman: So you are open to the possibility that could have been told about Walter Rodney's Death the same night of 13th June, 1980?

Major General (Ret'd) McLean: I believe so.

Mr. Hanoman: Okay, and at the time you got the information, it was revealed to you that it was in fact Walter Rodney that had been killed?

Major General (Ret'd) McLean: I am not sure.

Mr. Hanoman: Upon the hearing that news, were you prompted into any action?

Major General (Ret'd) McLean: Not really, no.

Mr. Chairman: I might have been lost something, Counsel. What news is that? That he has died?

Mr. Hanoman: Yes. My question was: did he do anything as a result of learning this information?

Mr. Chairman: Only that he had died, left out more.... I was not sure why he was not prompted into action, he died from an explosion. You go ahead, do not let me disturb you.

Mr. Hanoman: Did you ever discuss that incident with Mr. Burnham - the incident meaning, the explosion that killed Walter Rodney? Did you ever discuss that incident with Mr. Burnham?

Major General (Ret'd) McLean: I may have.

Mr. Hanoman: Do you agree that if you did, in fact discuss it that that discussion would have taken place very soon after the incident?

Major General (Ret'd) McLean: Yes.

Mr. Williams: Mr. Chairman, I do not know this line of questioning. If he is saying that he would have been in the capacity of Chief-of-Staff, and would that not be a matter of national

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security? I think matter of national security is privileged in any Court and any Inquiry, so I do not think the Witness needs to answer that.

Mr. Chairman: ...security that is involved here that I should stop the Witness from disclosing. Please proceed Mr. Hanoman. The Witness is very comfortable answering, and I do not know any aspect of Walter Rodney's death or the circumstance is any matter of national security. If national security killed him, we should know that.

Mr. Williams: Mr. Chairman, I am just suggesting that if you are asking for a conversation to be disclosed between a Chief-of-Staff and the Minister of Defense and matters of this nature my understanding is that these matters are always privileged. In any event, he would have had to sign on his appointment an Oath of Secrecy.

Mr. Chairman: But the question was only whether he had a...

Mr. Williams: No, but I am alerting him that if he wants to have the contents of such communication that he would be privileged.

Mr. Chairman: When we get to that, but I am not even so sure of that. This is an Inquiry to find out the whole truth man. The passage of time alone would have destroyed any national security significance from that.

Mr. Jairam: But Mr. Williams, I remember the case of Duncan and Kamilar dealing with national security. I do not think that the nature of the question is related to the matter that could affect national security. This is a past event, long past and that is why we are here. But of course, if Counsel is going to impinge on matters of national security, we will stop him.

Mr. Williams: Well I am merely alerting the Commission, I would want to believe the death of a leading person like Dr. Walter Rodney, in those circumstances, would have been a matter of national security.

Mr. Chairman: Even if it out, the Central Intelligence Agency (CIA) have documents, the Federal Bureau of Investigations (FBI), MI 16, they are now open to the public. They are declassified.

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Mr. Williams: If you have those documents, we would be happy.

Mr. Chairman: I do not have them, but I am aware of them. I am have been advised by those entities. In one instance, or two they said that we must pay for them in order to get them, but they are available. After all this passage of time, what is the national security implication? I cannot see it, but thanks for alerting us. Please Counsel, get ahead.

Mr. Hanoman: Are you aware of a Joint Intelligence Headquarters situated at Ogle on the East Coast of Demerara. Can you ever recall having meetings with both Mr. Laurie Lewis and Mr. “Skip” Roberts to share information?

Major General (Ret’d) McLean: We have met so often in so many forums. I do not know what you are talking about.

Mr. Hanoman: Well precisely the information that would have evolved around intelligence gathering during the period 1978, 1979, 1980.

Major General (Ret’d) McLean: 1978 and the first of 1979, I was the Director General of the National Service.

Mr. Hanoman: I understand that.

Major General (Ret’d) McLean: I was in the Hinterland all over doing what I supposed to be doing. I did not know anything about intelligence in that time. After that, I may have had meetings with “Skip” Roberts who I know and that will be on issues that he wanted to divulge on crime or Laurie Lewis who would have been the Head of, what we call Joint Intelligence Committee.

Mr. Hanoman: Could you tell us a little more about the Joint Intelligence Committee.

Major General (Ret’d) McLean: Two agencies - the GDF and the Guyana Police Force. Every country has a responsibility, if not a duty, to look after its borders and its people whether internal and external. Previously, we have what is called a Special Branch which was the colonial office for the Police Force. Laurie Lewis would have been the Head of Special Branch of the Army for Military intelligence would have had its own mechanisms for our external security or external

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intelligence and like everybody else, the United States of America has Central intelligence Agency (CIA), the British had MIA, MI 5 and MI 6 and we established what we called a Joint Intelligence Committee to be comprised of the two agencies for the benefit of handling intelligence of both an internal and external nature and we have had a lot of failures in Guyana. The Rupununi uprising was a failure, we did not predict it, we did not know about it and until it was too late, offshore, the Surinamese moved in and pushed us out of our rig, again, a failure of Joint Intelligence. So those are some of the issues which have driven us to try and establish what we called a Joint Intelligence Committee. That is it.

Mr. Hanoman: Just to put it in context, when you became the Chief-of-Staff, you comprise this Joint Intelligence Committee has?

Major General (Ret'd) McLean: Correct.

Mr. Hanoman: And the Committee was comprised of exactly who if you can remember?

Major General (Ret'd) McLean: Sorry, I did not get that.

Mr. Hanoman: Who was part of this joint intelligence...

Major General (Ret'd) McLean: Two persons.

Mr. Hanoman: Just yourself and...?

12.38hrs

Major General (Ret'd) McLean: No. Not me. I did not have anything to do with that. Remember that when you are looking at intelligence. Intelligence maybe on me. If you want to overthrow the President and I am the key and I am going to use the Army to overthrow him, you will not give me that information. That is given to the Prime Minister or the President. That is what the intelligence is all about.

Mr. Hanoman: Yes but the Committee, who are the representatives of the GDF and the Police Force?

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Major General (Ret'd) McLean: Laurie Lewis and Harmon.

Mr. Hanoman: So Laurie Lewis?

Major General (Ret'd) McLean: From the Police side

Mr. Hanoman: From the Police side.

Major General (Ret'd) McLean: Harmon from the Military side.

Mr. Hanoman: By Harmon, you are referring to? Just for the record Joseph Harmon? You are referring to Joseph Harmon?

Major General (Ret'd) McLean: Yes. Correct.

Mr. Hanoman: And this would have been at what period? During what period?

Major General (Ret'd) McLean: After my appointment in July 1979, we established this Joint Intelligence Committee. In fact, we were doing co-ordination of all the activities of all the joint services by having what we call a Joint Services Coordinating Council, from which we did training. Everybody was in training; Police, Army, everybody from Officer to Constable or Private, and so we did a lot of that joint training. Joint intelligence was just another facet of it.

Mr. Hanoman: As you understood it, the intelligence information received by Harmon and Lewis would be reported to whom?

Major General (Ret'd) McLean: The Prime Minister or the President because as I indicated to you, I may be the subject of the intelligence. They may have information that I am trying to overthrow the Government by using my officers and so they would not give it to me. They have to give it to the persons who will be affected by it.

Mr. Hanoman: So you were not privy to any of the intelligence reports that would have been compiled by those two?

Major General (Ret'd) McLean: I do not know what you mean by reports compiled.

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Mr. Hanoman: I see.

Major General (Ret'd) McLean: I think this is “eyes only” information.

Mr. Hanoman: I see.

Major General (Ret'd) McLean: And they dealt with whatever they had to deal with and I will say this to you that in 11 years, I thought we were very successful because we had not internal upheavals, we had no external upheavals during that 11 years of my stewardship so I have to say that we did a good job.

Mr. Chairman: By way of interest, in many of the police forces around the Region, the security branch in the force, felt themselves an elite group and they were even disinclined to report to their Commissioner of Police.

Major General (Ret'd) McLean: Police. Correct.

Mr. Chairman: That was your experience too?

Major General (Ret'd) McLean: That is the same experience and we had the experience of Trinidad.

Mr. Chairman: Yes. I am familiar with that.

Major General (Ret'd) McLean: Where we have had two coups, in Trinidad. One with the Lieutenant and the one with the Muslimeen so...

Mr. Chairman: They had several agencies reporting and yet nobody knew of any of that. It is a separate matter. Get ahead please.

Major General (Ret'd) McLean: And to answer one of the questions that you did put to me, there was no joint intelligence office as such. Special Branch has its own compound, its own facility and the Military has their own. When they want to meet, they meet and maybe if we have

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operations they will meet in the joint operations command which is at Eve Leary, in the police compound, so I do not know of any location at ogle.

Mr. Chairman: But the Military intelligence, relates to the Military itself, they are spying on one another.

Major General (Ret'd) McLean: That is correct.

Mr. Chairman: Yes. This is exactly so.

Major General (Ret'd) McLean: Well put, Sir.

Mr. Chairman: Spying on one another, yes.

Mr. Jairam: Major General, when you spoke of internal and external upheavals?

Major General (Ret'd) McLean: Yes.

Mr. Jairam: Internal within the country or within the Army?

Major General (Ret'd) McLean: Within the country.

Mr. Jairam: And the external is neighbouring territories and so on?

Major General (Ret'd) McLean: For instance like I mentioned, the Rupununi Uprising and Koko, the external issue where the oil rig was pushed out, and we ended up having to go to the United Nations Law of the Sea to get that done. So those are some of the external things. Suriname, New River Triangle and what have you. We have external issues that the Army has to address.

Mrs. Samuels-Brown: What were some of the internal upheavals though that they were concerned with or potential internal upheavals? You spoke about external ones, but what about internal ones, any?

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Major General (Ret'd) McLean: Some of the agitation and some of the issues relating to the sugar belt, political issues and what have you. Certainly, those were some. That is what the Special Branch was...

Mrs. Samuels-Brown: We heard here about strikes and so on in the sugar belt which had a significant impact on the economy.

Major General (Ret'd) McLean: Yes. That is right.

Mrs. Samuels-Brown: That is something the joint forces would have been concerned?

Major General (Ret'd) McLean: Yes. Bear in mind that when we talk about intelligence, we talk about economic intelligence, intellectual intelligence, and technological intelligence besides the political issues which the police would normally look at.

Mrs. Samuels-Brown: If I may, bearing in mind our Terms of Reference, would any of your concerns, in terms of internal upheavals, relate to the activities of Dr. Rodney before he died?

Major General (Ret'd) McLean: It could have been. This gentleman was a respected Historian, he was a man who was a political activist and he was in fact a leader of a budding party. I myself would have thought both Dr. Jagan and Mr. Burnham would have felt that he was a man of some concern.

Mrs. Samuels-Brown: Yes but I am talking now about the intelligence activities of the Army and the Police. Let us get to after his death. Am I correct that after his...

Major General (Ret'd) McLean: After his death?

Mrs. Samuels-Brown: After his death, there was some protest and upheaval, is that so or there was none?

Major General (Ret'd) McLean: Not that the Army would get involved in because the Army had external role. Our mission was the territorial integrity of the country and national

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development. Those were two of our primary roles plus assisting the Police if they could not cope with whatever was taking place, but that would essentially be a police responsibility.

Mrs. Samuels-Brown: And there was nothing that arose after his death which impacted, as you just said, national development so as to cause the Army to be concerned? And there was nothing that arose after his death that would have caused the Army to have assisted the Police in any investigations?

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: I see. Thank you.

Mr. Chairman: You wish Counsel to shift to the Terms of Reference and focus there?

Mr. Hanoman: I am guided, Mr. Chairman.

Mr. Chairman: Particularly four. Roman number four of the terms.

Mr. Hanoman: Was the Guyana Defense Force, the Guyana National Service and the Guyana People's Militia tasked with the surveillance of the political opposition between 1978 to 1980?

Mrs. Samuels-Brown: May I suggest that you cut the period in two, before him what he would have learnt from records and reports and after he took up office from his own direction and Leadership of the GDF.

Mr. Chairman: Go one by one. You asked him three mouths full in one. Each agency is separate and you asked about all in one. You understand why I am saying?

Mr. Hanoman: The reason for doing that is because he said he was the Head of all three.

Mr. Chairman: Yes but still break them down.

Mr. Hanoman: As it pleases. Now, when you answered a moment ago to say that they were not involved in surveillance, you were not purporting to speak for the period before your appointment as Chief-of-Staff, were you?

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Major General (Ret'd) McLean: I cannot. I cannot speak to what transpired before my time.

Mr. Hanoman: Okay. In other words, what you are saying is that the Guyana Defense Force, as far as you are aware, having become Chief-of-Staff in July, 1979, was not engaged in surveillance from that period to the end of 1980, you agree? You agree that the Guyana Defense Force was not involved in surveillance of the political opposition from July 1979 to the end of 1980?

Major General (Ret'd) McLean: Why to 1980?

Mr. Hanoman: Those are the Terms of Reference of our...

Major General (Ret'd) McLean: I left in...

Mr. Hanoman: Those are the Terms of Reference of our...

Major General (Ret'd) McLean: Well, I am talking about all the time as Chief-of-Staff that was never our focus.

Mr. Hanoman: It could have been the focus of the Joint Intelligence Committee without your knowledge?

Major General (Ret'd) McLean: Yes, that is true.

Mr. Chairman: As I understand it Major General, the Joint Intelligence Agency, they would have been answerable to the Prime Minister?

Major General (Ret'd) McLean: Yes.

Mr. Chairman: Yes.

Major General (Ret'd) McLean: Before 1980, when the constitution changed and we then had an Executive President.

Mr. Chairman: Before 1980?

Major General (Ret'd) McLean: Yes.

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Mr. Chairman: He had the authority to enlarge their remit as he saw fit? That would be correct?

Major General (Ret'd) McLean: I do not know what discussions would have taken place between...

Mr. Chairman: No. I am not suggesting you did but it was within his competence to enlarge the remit from time to time?

Major General (Ret'd) McLean: He had the authority to do that.

Mr. Pilgrim: Mr. Chair, for specificity, the executive president under the constitution in Guyana was only appointed on the 13th October, 1980. In June, 1980, they had no such executive president, although the constitution was promulgated on 13th February, it only came in October.

Mr. Jairam: I think the witness *[inaudible]*

Mr. Pilgrim: For the record though.

Mrs. Samuels-Brown: Thank you.

Mr. Chairman: Thank you, Sir.

Mr. Hanoman: Are you aware of the GDF carrying out any actions, as opposed to surveillance against the political opposition, July, 1979 to 1980?

Major General (Ret'd) McLean: No.

Mr. Hanoman: Do you agree that the army, in 1980, would have played a part in the safe guarding and transportation of ballot boxes during the 1980 elections?

Mr. Pieters: How is that relevant to the Commission's Terms of Reference?

Major General (Ret'd) McLean: This comes out of 1973, so when I became Chief-of-Staff, I made it placidly clear to all the joint services of the day that they will never see Soldiers fetching or handling ballot boxes ever again. So in 1980, which I believe maybe the Referendum period you are talking about and what have you. We made it very clear. We had what you call a study

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day at Ayanganna with everybody there and I made it very clear that the Army will never be involved in any moving or handling of ballot boxes. If it is required and we have to escort them that is, that you carry the ballot boxes and we will ensure that somebody does not come to take them away, fine. That is about it. So I wanted to make that clear.

Mr. Hanoman: Yes. I am grateful for that clarification.

Mr. Chairman: You did provide an answer earlier about not knowing that the GDF Special Branch carried out any surveillance as was asked but going back to the Force, when you were there, you need not know all and would not claim to all the Special Branch was doing by way of who they were targeting for the surveillance and so on.

12:59hrs

Major General (Ret'd) McLean: The Special Branch is an arm of the Police Force as I understand it.

Mr. Chairman: Yes, back to the Police Force.

Major General (Ret'd) McLean: It is a Police activity.

Mr. Chairman: Yes, but even the Commissioner of Police often does not know that.

Major General (Ret'd) McLean: That is correct.

Mr. Chairman: Yes, Special Branch is often spying on him and he would not even know. That has nothing to do with him. These fellas saw themselves as an elite group.

Mr. Hanoman: We have spoken about the Guyana Defense Force...

Ms. Samuels-Brown: Did they do an escort in the 1980 Elections?

Major General (Ret'd) McLean: Sorry, I did not get that.

Mr. Hanoman: The question I ask is whether you transported and saved guarded ballot boxes? Would you say that the GDF escorted ballot boxes in the 1980 Elections?

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Major General (Ret'd) McLean: Yes, we would have done that. When I say “escort”, we will provide a mobile escort to ensure that the ballot boxes which were being taken to the central polling places or wherever they had to go were delivered there safely. We had nothing to do with handling it or anything else of the sort.

Mr. Chairman: Were they escorted to whom, the Police? The Military escorted the Police?

Major General (Ret'd) McLean: They escort the balloting personnel from the Guyana Elections Commission (GECOM) and what have you. They would be responsible for the transportation, persons to handle it. All we will do is to ensure that it get from wherever it come to there, safely. That is it.

Mr. Chairman: Yes, I was asking that question over the Barbadian experience because I think the Barbadian Police are involved in carrying the boxes. I think that they have some role in that when I was asking whether the Military was escorting the Police.

Major General (Ret'd) McLean: There would not have been enough Police to do that so on a polling day, for instance, every polling station would have to have a Policeman and what have you and in that movement our role was simply to safeguard it to make sure it gets from Point ‘A’ to Point ‘B’ without somebody taking it away.

Mr. Chairman: I had forgotten our size in Barbados. We were just a large village. I am sorry.
[Laughter]

Mr. Williams: Just for clarification, the Police would carry the boxes or escorted it in Barbados?

Mr. Chairman: ...I think you are more correct that they are largely escorted but often, on big occasions, the army would come in with a supplementary role.

Mr. Hanoman: Mr. McLean, from the 1st January, 1978, to July, 1979, did the Guyana National Service engaged in the surveillance or the carrying out of actions against the Political Opposition?

Major General (Ret'd) McLean: No, Sir.

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Mr. Hanoman: Is it correct to suggest that from the time you became the Chief-of-Staff of the GDF in July 1979 you had superintendence also over the Guyana People's Militia?

Major General (Ret'd) McLean: Co-ordinating superintendence, if you want to call it that. I was co-ordinating all the activities of the GDF, Guyana National Service and Guyana Police Force.

Mr. Hanoman: Would you be able to say whether the Guyana People's Militia carried out any surveillance or any actions against the Political Opposition...?

Major General (Ret'd) McLean: I would say 'no' to that.

Mr. Hanoman: ...during that period?

Major General (Ret'd) McLean: No.

Mr. Chairman: Would you be prepared to concede that it is possible that it is possible – I will start as high as that or as low – that those things could have been going on unknown to you? A small group of people might have been involved...

Major General (Ret'd) McLean: Let me make it clear, Chief. Guyana National Service is a Hinterland organisation. We have no standing or anything, no capacity, to do that what you all are talking about. The Guyana People's Militia is a reserve organisation nearly 10,000 men and they are scattered throughout this country but they are not on permanent... We do not have a permanent structure there. If something happens they are called out so I do not think we have a capacity to do surveillance of Political Opposition and what have you.

Mr. Chairman: You were giving the acronyms and speaking rapidly but spell out the names of these organisations you were speaking about.

Major General (Ret'd) McLean: The Guyana People's Militia.

Mr. Chairman: Yes.

Major General (Ret'd) McLean: That is the Guyana People's Militia, Guyana National Service and the Guyana Defense Force.

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Mr. Chairman: And you are saying that neither one of them...

Major General (Ret'd) McLean: Neither of the two. The GDF has standing personnel so I was saying that the Guyana People's Militia and the Guyana National Service, because of where they are located and the nature of their operation, had no capacity to be involved in any sort of surveillance. If you want to extend that to the GDF, unknown to me maybe, they have a preference maybe but I do not think so. I think we were so taken up with what we had to do to get the army back on an even keel and to ensure that their moral was high and what have you... We were involved in everything – building. Go to Ayanganna, anything you see in clay-brick you know that is me. I built nearly everything that had to be built.

Mr. Chairman: Mr. Clay-brick... [*Laughter*] Thank you, Sir.

Mr. Hanoman: You have put in your statement Mr. McLean that you were awarded the Military Efficiency Medal for work in 1980. Can you say whether before or after the death of Dr. Walter Rodney?

Major General (Ret'd) McLean: It would have had to be after that I would imagine.

Mr. Hanoman: In your statement you have also said that you were promoted to Major General in 1985.

Major General (Ret'd) McLean: Correct.

Mr. Hanoman: This would have been before Mr. Burnham died?

Major General (Ret'd) McLean: No, after.

Mr. Hanoman: Do any of these following names mean anything to you?

Mr. Chairman: Did he answer the last question you posed?

Mr. Hanoman: He said "after". Do these names mean anything to you – Robert Gates, Allan Gates, Clive Gibbs, and Clive De Nobrega?

Mr. Pieters: Could you take them one by one, Sir.

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Major General (Ret'd) McLean: The names... I do not know the persons you are talking about or any of those names relating to any person there. I never him, do not know him and I know of him.

Mr. Hanoman: You know of him?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: The four names, just for Counsel's clarification, that I have mentioned actually is in reference to a single person. Robert Gates...

Major General (Ret'd) McLean: He has a lot of aliases.

Mr. Hanoman: A lot of aliases; Robert Gates, Allan Gates, Clive Gibbs or Clive De Nobrega.

Major General (Ret'd) McLean: And do you know why he has those aliases?

Mr. Hanoman: You know of the person that those names are attributed to?

Major General (Ret'd) McLean: I do not know. If I saw him in front of me I would not know him but I know of him from the newspapers.

Mr. Chairman: In what context is his name of any relevance to us?

Mr. Hanoman: He had supplied a statement to the Commission that mentions this witness.

Mr. Chairman: I am aware of that, but I was not asking it for my own purposes.

Mr. Hanoman: I see.

Mr. Chairman: Very rare I will do that. I am trying to remind you that you are dealing with a public inquiry and you have to carry the public with you. Do you understand what I am saying?

Mr. Hanoman: I understand clearly, Mr. Chairman. You had mentioned a little while back that there were thousands of deserters in the GDF.

Major General (Ret'd) McLean: Maybe hundreds, I do not know.

Mr. Hanoman: Hundreds you think might be a better...

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Major General (Ret'd) McLean: Yes.

Mr. Hanoman: Do have any idea whether...? This was during what period that you are saying there was hundreds of desertion?

Major General (Ret'd) McLean: When I came into the GDF I found that there were a lot of deserters and in fact we had to establish a policy of giving amnesty to see whether we could get them to come back, but there was a lot of disaffection, there was a lot of disgruntlement and a lot of problems in the Army.

Mr. Hanoman: Do you have any idea why there were so disaffected?

Major General (Ret'd) McLean: There were good reasons. I gave you a good example. The first place I went to was a place called Camp Broomes where the men were living in crates; crates that brought the weapons. We just did not do what we were supposed to do to look after our soldiers.

Mr. Hanoman: I see.

Ms. Samuels-Brown: That is one reason why they would have been disaffected or would have deserted. Are there other reasons before we move on?

Major General (Ret'd) McLean: Salary.

Mr. Hanoman: Salary was too low?

Major General (Ret'd) McLean: Salary, food, deployment because soldiers had to go into the hinterland and they are away from their families. There was a lot of disaffection and a lot of disgruntlement at that time.

Mr. Chairman: Working conditions...

Major General (Ret'd) McLean: Yes.

Ms. Samuels-Brown: When you mentioned food, what do you mean by that?

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Major General (Ret'd) McLean: What are you eating? The logistics of moving food to where I am at Iteringbang or Kaikan or anywhere in the hinterland is a challenge.

Mr. Hanoman: I notice there is a pause. I am not sure, Madam Commissioner, if you want to...

Mr. Chairman: Given the size of the country would you not have several food preparation centres? All the food would be cooking in Georgetown and the following...

Major General (Ret'd) McLean: No, you are not cooking in Georgetown. You would have to send the rice or you have to send meat or you have to send greens to these locations all over the hinterland. When I talked about Iteringbang, one would be on the border with Venezuela. You got to...

Mr. Chairman: Would there be one point from which all of this stuff would emanate? If a fella is a 100 miles out would he not get his food stuff from the urban centre closest to him rather than have to bring stuff from Georgetown?

Major General (Ret'd) McLean: You can either move it by aircraft or move it overland, one of the two, if you can.

Mr. Chairman: It often presents a problem.

Major General (Ret'd) McLean: For instance with National Service, let me give you an example, we had over a 1,000 young people at a place called Papaya which 30 miles from the Venezuelan border. What we did "was feed ourselves" so the army is deployed on a different mission. We are not there to feed ourselves. Kimbia, for instance we had 100,000 poultry birds, you had eggs so that we could send out because we were feeding ourselves. That was part and parcel of the mission of the National Service, but for soldiers on deployment you cannot expect them to go feed poultry and plant greens and what have you. They are deployed for a different role so you have to send the ration to them and you have to cook and what have you to feed them and those of some of the things that soldiers were disgruntle about and felt "I want to go home; this is not good enough for me"; serious problems.

Mr. Chairman: I understand.

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Ms. Samuels-Brown: As the new Commander you considered it your responsibility to analyse the reason why persons were deserting and why people were disaffected.

Major General (Ret'd) McLean: Correct.

Ms. Samuels-Brown: Did it come to your attention or did you enquire whether any of these deserters or to what extent any of these would have left the country or they remained in the country?

Major General (Ret'd) McLean: They would have remained in the country but go to find easier forms of employment, better pay and not have the hardship and the rigors of not getting the... I will give you a good example, bad weather, the plane is coming with ration and they are on the ground and they would say "you gon' drop the food" and I would say "I drop it already". You got to go into the bush to look for it.

Ms. Samuels-Brown: [Laughter]. Okay, thank you. Part of our remit and the reason I am pursuing this with you is that we have to examine the atmosphere...

Major General (Ret'd) McLean: Yes.

Ms. Samuels-Brown: ...in the country at the time so pardon me for asking you this question.

Major General (Ret'd) McLean: No problem.

Ms. Samuels-Brown: In your enquiries, did it ever come out that the level of desertion and disaffection had to anything to do with complaints in relation to the Leadership of the Army or the higher ranks or how commands were given and/or executed?

13.28hrs

Major General (Ret'd) McLean: I do not think that is really the issue. I think that the officers that I had was really the best that we could find and I was very proud of them and they did good work under the circumstances which were prevailing at the time. When I arrived, I know I was not welcomed, but 9, 10 or 11 years later, I feel that we were doing an excellent job.

Mrs. Samuels-Brown: Thank you.

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Major General (Ret'd) McLean: We built the airport, we built places everywhere and we did an excellent job in my view.

Mrs. Samuels-Brown: Thank you very much.

Mr. Jairam: Major General.

Major General (Ret'd) McLean: Sir?

Mr. Jairam: We have heard evidence, see if you can throw your mind back to the period 1978 to 1980 ... well in 1979 you became Chief-of-Staff.

Major General (Ret'd) McLean: Yes.

Mr. Jairam: July ... but before that, you were in the Guyana National Service, right?

Major General (Ret'd) McLean: That is correct.

Mr. Jairam: Right. Now we have heard evidence where there appeared to be general discontentment because of the banning of a number of imported items and such other things, what was your impression at the time, of the mood of the population?

Major General (Ret'd) McLean: I thought that the policy, given the conditions in terms of foreign currency and what have you created serious hardships for the people, but I think it was a necessary evil. In the sense that a lot of things developed which we did not have. For instance, let us take, Irish or English potatoes, now we are flooded with Irish and English potatoes, but there was a time when, because that was banned we had plantains, yams and every conceivable vegetable that you could eat and we started making chips. Instead of having chicken and potato chips, chicken and plantain chips and those are things which came about but it was a hardship. Flour was another problem undermining even the Army.

Mr. Jairam: Right but a man of your vast experience, you know people are resistant to change and despite the laudable objective of what you just told us ...

Major General (Ret'd) McLean: Yes.

Mr. Jairam: ... there would have been dissatisfaction.

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Major General (Ret'd) McLean: Definitely.

Mr. Jairam: Would it not have been part of the business of the Army to have intelligence gathering generally at the time? Because part of your mission, is not only external, but internal uprising and what have you. So would it not have been part of the Army's objective to make sure that its intelligence gathering was on the ball, as it were?

Major General (Ret'd) McLean: Well, maybe in the joint intelligence grouping, in the Committee, that they are talking about, that may have been shared. I have no doubt that it would be, because the grumbling, even in the army would be an important issue for the joint intelligence to recognise.

Mr. Jairam: But there is a saying, which is almost a truism, *uneasy lies the head that wears the crown* and you were the head.

Major General (Ret'd) McLean: Which did not have a crown [*Laughter*]

Mr. Jairam: Well, figuratively.

Major General (Ret'd) McLean: Yes.

Mr. Jairam: You were the pinnacle of the Army.

Major General (Ret'd) McLean: Yes.

Mr. Jairam: Was that part of your concern to be aware and therefore to receive reports from your juniors as it were about what was taking place in the country from time to time?

Major General (Ret'd) McLean: I agree and what we have is what you call AEPR. We have to Assess, Evaluate, Predict and Respond

Mr. Jairam: And from the evidence you were given by some of the information in this Commission, the WPA seemed to have been a growing force starting from 1974, from its formation and was rising as it were, crescendo. Would that not have been a concern to you as Head of the Army?

WALTER RODNEY COMMISSION OF INQUIRY

Major General (Ret'd) McLean: It was a concern for the country, but the point of view of the Army, I do not think that was my concern. My concern was a lot more mundane and normal matters. I see Dr. Roopnarine here and he congratulated me because I cleaned the city.

Mr. Jairam: But in a normal course of things, in your conversations, I think it is part of the course. In your conversations with the then Prime Minister, who later becomes President ...

Major General (Ret'd) McLean: Yes?

Mr. Jairam: Did you not discuss these matters?

Major General (Ret'd) McLean: Yes, those matters would have been discussed.

Mr. Jairam: And ...

Major General (Ret'd) McLean: The Defense Board met monthly and at that Defense Board, some of those things may have been discussed.

Mr. Chairman: But in so far as the Prime Minister was receiving security reports, intelligence reports, did he receive them through you or direct from the ...

Major General (Ret'd) McLean: Burnham would never receive anything from me alone.

Mr. Chairman: Yes,

Major General (Ret'd) McLean: He was too astute a man ...

Mr. Chairman: Yes.

Major General (Ret'd) McLean: Not to have other fingers ...

Mr. Chairman: Sources.

Major General (Ret'd) McLean: ... in everything that was going on.

Mr. Chairman: And too security conscious too.

Major General (Ret'd) McLean: Yes.

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Mr. Chairman: There is every likelihood that he would be directly telling the security agencies, whom he wanted them to have surveillance over, in terms of individuals and/or institutions and/or events.

Major General (Ret'd) McLean: Possibly, but I am not the recipient and the people who were the recipients are not here to say.

Mr. Chairman: Good, good, good, but the directions to that agency did not come through you?

Major General (Ret'd) McLean: Not through the intelligence unit, but certainly they would share things which they feel that are important or relevant with me.

Mr. Chairman: Relevant to you?

Major General (Ret'd) McLean: Yes.

Mr. Chairman: Yes, but if they did not think they were relevant to you, you would not know anything about it?

Major General (Ret'd) McLean: Yes.

Mr. Chairman: Now, what I am suggesting to you is that Mr. Burnham, as Prime Minister at that stage would have been concerned to deal directly with them, including telling them what he wanted them to be checking on and having surveillance over.

Major General (Ret'd) McLean: You are probably rite in the sense that Special Branch, I would only have known the head of Special Branch but I do not know how many people he would have had who are out there gathering information and doing whatever was required to be done. I do not know. In terms of the army, I think there again, the Head of the Intelligence Corps would probably have got his own operatives who were dealing with that.

Mr. Chairman: Now security agencies often make the political opposition ...

Major General (Ret'd) McLean: A target.

Mr. Chairman: ... an area of focus ... *[Laughter]* ... you are aware of that?

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Major General (Ret'd) McLean: Yes.

Mr. Chairman: The WPA was of concern to the country generally but to the established political parties well, the Government, the People's Progressive Party (PPP) and others. So you are shaking your head and I think in know what you are saying but I want to hear your voice. *[Laughter]* And it is a rich voice, so let us hear it.

Major General (Ret'd) McLean: Yes.

Mr. Chairman: How are you answering those questions?

Major General (Ret'd) McLean: I can only answer it by saying yes; the WPA could have been seen as a thorn in the side of both of the major parties.

Mr. Chairman: Yes.

Major General (Ret'd) McLean: Because you would have been eroding some of their own following. I have no doubt that that is the case but ...

Mr. Chairman: But to the extent that it did not concern you, you would not have seen any security reports on the WPA.

Major General (Ret'd) McLean: I would not see them as ...

Mr. Chairman: A matter of routine.

Major General (Ret'd) McLean: For instance, one of the questions that he put to me was whether I say Burnham's statement as being a threat. When you get up on a political platform, politicians say everything, it is a matter of political rhetoric, but you do not expect that that is going to be translated into something, so ...

Mrs. Samuels-Brown: I heard your answers to the Chairman but you did say that the Defense board met monthly.

Major General (Ret'd) McLean: Yes.

Mrs. Samuels-Brown: And some of these matters would have been discussed.

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Major General (Ret'd) McLean: Yes.

Mrs. Samuels-Brown: The very matters which the ... some of the matters which the Chairman has asked you about would have been discussed.

Major General (Ret'd) McLean: Yes.

Mrs. Samuels-Brown: And concerns would have been expressed where it was appropriate.

Major General (Ret'd) McLean: Correct.

Mrs. Samuels-Brown: Would there also be discussions as to how to approach, these concerns, which would have been arisen?

Major General (Ret'd) McLean: It was seen as political and the solutions were equally political.

Mrs. Samuels-Brown: There has been talk that the WPA was involved in gathering weapons. Did that ever come to the Army's attention? Whether as a fact, an opinion or an intelligence report?

Major General (Ret'd) McLean: I happen to be aware that some of the operatives were arrested with weapons, from that point I knew the indication would be that the WPA would be doing that. I cannot ...

Mrs. Samuels-Brown: The Army was never involved in any action ...

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: ... or response or ...

Major General (Ret'd) McLean: No.

Mrs. Samuels-Brown: Thank you very much. So the Army never verified these independently?

Major General (Ret'd) McLean: The Police would have been doing that, not the Army.

Mrs. Samuels-Brown: Okay, thank you very much.

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Mr. Jairam: Major General, from what you have told us thus far, it would appear that you had little or no information concerning events leading up to Dr. Rodney's death. Is that a fair assessment?

Major General (Ret'd) McLean: That is a fair assessment.

Mr. Jairam: Right. I am on our Terms of Reference No.1: "to examine the facts and circumstances immediately ..." I am omitting the words "prior" and "at the time" of and I am going "subsequent to the death of Dr. Walter Rodney, in order to determine, as far as possible who or what was responsible for the explosion resulting in the death of Dr. Walter Rodney". Now, as Chief-of-Staff of the Army, it had been revealed in the press subsequent to the death of Dr. Walter Rodney that fingers were pointing to a member or a former member of the Army, namely William Gregory Smith or Gregory Smith, whatever, he was. As head of the Army, that would have been of some concern to you.

Major General (Ret'd) McLean: Yes.

Mr. Jairam: And would it not at least have aroused your curiosity to try to find out precisely, what, if any role Gregory Smith had in relation to the death of Dr. Rodney? I am talking now, subsequent.

Major General (Ret'd) McLean: Okay. First of all, I was happy when I heard that there is no Gregory Smith.

Mr. Jairam: That is initially?

Major General (Ret'd) McLean: Yes and after it was discovered that there was a William Gregory Smith, I was also happy that he was not, according to the information I got that he was in the Army but was a deserter. Certainly that was something which we were happy about and said, "Look, this is not a man who is with us", put it this way.

Mr. Jairam: You know, Counsel had put to you ... did you uncover any information, that the Army, in fact, played a role in moving Gregory Smith from in and around Georgetown to Kwakwani or elsewhere?

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Major General (Ret'd) McLean: I was not aware that he was being moved anywhere.

Mr. Jairam: No, I am not talking about prior to, I am talking about subsequent to.

Major General (Ret'd) McLean: Oh, you are talking about after.

Mr. Jairam: Yes.

Major General (Ret'd) McLean: I was not aware that he was being moved to Kwakwani and to all this ... as I said, I heard recently from Captain Gouveia, when he was told that he was coming here to give evidence, that this is not something which I was aware of, so ...

Mr. Jairam: Did you read the daily newspapers at the time? Or you had somebody checking them to tell you what was being reported in the news, do you recall?

Major General (Ret'd) McLean: Yes, I must have read the newspapers.

Mr. Jairam: I seem, I cannot put my fingers on it at the moment but I have seen in all these sacks of paper that we have been given, that it was reported at the time ... when I say at the time, shortly after the death of Dr. Rodney, that the army had moved him and so on and he went to Kwakwani then subsequently to French Guiana. What my question is: did you ...

Major General (Ret'd) McLean: That was recent?

Mr. Jairam: Did you ask any questions?

Major General (Ret'd) McLean: Was that shortly after his death?

Mr. Jairam: At or around.

Major General (Ret'd) McLean: What time was that?

Mr. Jairam: I seem to recall, I am not sure ... were you aware of that information around the time?

Major General (Ret'd) McLean: No.

Mr. Chairman: Assuming it is correct though ...

WALTER RODNEY COMMISSION OF INQUIRY

Major General (Ret'd) McLean: Not at all.

Mr. Chairman: Assuming that the information is correct, that the Army played a role in transporting him some 60 miles or more away and then maybe close to the border, who would have authorised that? The Airway.

Major General (Ret'd) McLean: Whoever was the Commander for the Air Corps may have but they have other ... you have to recognise that we could have rouge elements in there.

Mr. Jairam: I was about to ask that.

Major General (Ret'd) McLean: I do not know why he would have gone there or why he would have been taken there according to the information which I have, but I am not aware of it.

Mr. Jairam: Following up with the Chairman.

Major General (Ret'd) McLean: Yes.

Mr. Jairam: Even if there was a rogue element would there be a log book, logging the departure and arrival of aircrafts and so on?

13.29hrs

Major General (Ret'd) McLean: Two things: One is that if there was a log book, then it should be produced by somebody; secondly, if it is a rogue element then there would be no log book.

Mr. Jairam: Did anybody during that period report that an aircraft was taking unlawfully or without authorisation?

Major General (Ret'd) McLean: No, I was not aware of that. Certainly the Commander of Air Corps would be the man who would know. I have no report to say, "Look, a plane went to Kwakwani at some point in time".

Mr. Chairman: If he was a rogue element, the Commander, you would not know because the rogue behaviour would extend to excluding you from knowledge. You are shaking your head but....

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Major General (Ret'd) McLean: No, I can only agree with you.

Mr. Jairam: In your experience, how long would the Army keep its records? For how long, from what period?

Major General (Ret'd) McLean: I would imagine that the records should still be available. Although it is 34 years later there should be some record to show that a flight left somewhere; Ogle, or wherever it went, to Kwakwani.

Mr. Jairam: Right, so it will be archived, if that is correct?

Major General (Ret'd) McLean: It should be there.

Mr. Jairam: Thank you.

Mr. Chairman: Paramountcy, are you aware of that?

Major General (Ret'd) McLean: I heard the term, I do know about it.

Mr. Chairman: Do you know that it meant that all State Agencies, and it went so far as the State itself, fell under the Political Party. How did affect the running of the Army?

Major General (Ret'd) McLean: Sorry, I did not get that.

Mr. Chairman: How did that affect the running of the Army? Did it mean that there was interference by the Party, not always through you?

Major General (Ret'd) McLean: I cannot believe that that would be relevant in a case that the Army would carry out some Party's function which is not in keeping with our mandate, and our duties and responsibilities.

Mr. Chairman: The Party function or by inquiry might only be in relation to information and asking individuals to do particular missions for them. You cannot rule out...

Major General (Ret'd) McLean: That would be serious rouge action which I find difficult to perceive, but it could have happen.

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Mr. Chairman: You seem to suggest the Army was exempt from, as an agency of the State, from paramountcy, but the Army itself was subject to the Party...

Major General (Ret'd) McLean: In what sense?

Mr. Chairman: ...given the doctrine of paramountcy. You thought you were exempted, that is, the army?

Major General (Ret'd) McLean: I would have thought so.

Mr. Chairman: But on what basis?

Major General (Ret'd) McLean: Traditionally, has a mandate to be accountable to the people.

Mr. Chairman: Tradition was thrown overboard. The Party was paramount and all the State agencies fell under it. Why are you thinking you were exempted?

Mr. Pieters: He just answered your question, Mr. Chairman. He is a professional Soldier. He just answered your question that the army is accountable to the people.

Mr. Chairman: I do not understand what you are getting at. The doctrine seems to suggest that the Party...

Mr. Pieters: Then ask him what his understanding of paramountcy is and how it related to the functioning of the Armed Forces itself and the Army.

Mr. Chairman: I suppose that is a variant of the same question.

Mr. Pieters: Yes, but it may be a manner in which he can understand it, so that he can give a direct answer to it.

Mr. Chairman: My question remains, why do you think that the army was exempted from paramountcy of the Party?

Major General (Ret'd) McLean: Because of military discipline and the strength of the Leadership of the Army.

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Mr. Jairam: I believe someone told us – I am trying to remember whether it was Mr. Eusi Kwayana or someone else - that every year, after the Party’s Congress, that you and the Commissioner of Police would go wherever the congress was and swear allegiance....

Major General (Ret’d) McLean: No, Sir!

Mr. Jairam: ...to the Party. Did you ever do that?

Major General (Ret’d) McLean: Not this boy.

[Laughter]

Mr. Williams: I was going to ask him too.

Major General (Ret’d) McLean: Not this boy.

Mr. Jairam: You would defy the President? He was a very powerful man.

Major General (Ret’d) McLean: There was not any reason to defy. It was never brought to my attention. I was not required to do that and, in fact, I see the gentleman has the book there by Brigadier David Granger, and he states quite clearly on page 186 that I did not do that.

Mrs. Samuels-Brown: If I can go back to the issue of paramountcy; you were aware of *The Sophia Declaration*?

Major General (Ret’d) McLean: Yes.

Mrs. Samuels-Brown: In your discussions, whether with the Prime Minister directly or when the Defence Board met, was there ever the subject of paramountcy of the Party which formed a part of *The Sophia Declaration*?

Major General (Ret’d) McLean: Only in a sense that they dealt with it at a political party level and as far as we were concerned, it did not impact on us in the military.

Mrs. Samuels-Brown: Did you ever in the military say “this Declaration of paramountcy cannot apply to us, we consider ourselves exempted from it”?

Major General (Ret’d) McLean: No, we just did not do it.

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Mrs. Samuels-Brown: Thank you very much. I have been told that this principle was later incorporated into the Constitution, is that so? Is that so, 'yes' or 'no', Witness? Are you aware of that?

Major General (Ret'd) McLean: I am not aware of that.

Mrs. Samuels-Brown: As you are the witness and I am asking you, I am obliged that you have answered. I have some other questions that do not relate to paramountcy, though. Let me ask you this: Did the police ever share with you...? First of all, 8R-GER, would that reflect the numbering on an Army aircraft? How were they numbered?

Major General (Ret'd) McLean: GER, probably, yes.

Mrs. Samuels-Brown: GER.

Major General (Ret'd) McLean: Probably would be an army aircraft.

Mrs. Samuels-Brown: Did the police ever share with you, that they collected a statement from a person who said "On the 17th June an aircraft numbered 8R-GER landed" at a certain place, I am going to tell you where soon, "and men came out asking for Smith". Was that the Kwakwani park? What was marked...?

Major General (Ret'd) McLean: 17th June, when?

Mrs. Samuels-Brown: 1980. Was that ever shared with you by the police, 17th June, 1980?

Major General (Ret'd) McLean: That would have been four days after... No.

Mrs. Samuels-Brown: I am referring, for the purposes of the record, to TAM/LJ/CID/WR 1 submitted by Senior Superintendent Leslie James which contains statements apparently collected by Criminal Investigations Department (CID) with respect to the death of Walter Rodney and the search for Gregory Smith so I am just wondering if this was ever shared with you; this information, was never shared with you.

Major General (Ret'd) McLean: No.

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Mrs. Samuels-Brown: Was it shared with you that other persons also gave the police statements indicating the landing of such an aircraft at the Kwakwani Airstrip and enquiries being made for someone named Smith? No?

Major General (Ret'd) McLean: I am not aware of that. You are just confirming what I had said that the police took on that investigation and responsibility.

Mrs. Samuels-Brown: The names are in the statements which Counsel has been supplied with, but so much time has passed. I have chosen not to call the names of the persons who gave the statements but it is a matter for the Chairman and Counsel, who appear, whether they want to unearth that. I just wanted to check that, thank you.

Mr. Chairman: Were you aware of some of the facts, Sir, that some of the 8000 men under you were members of the ruling Party of the PNC?

Major General (Ret'd) McLean: I suppose every Guyanese has a political choice. Whether you are army, police, wherever you are, you can choose whatever political Party you want to support; including the WPA.

Mr. Chairman: Sure, I accept that, but were you aware that some were even active members?

Major General (Ret'd) McLean: What would you consider active membership?

Mr. Chairman: Not only Party card carrying members, but going to political meetings, participating in rallies, doing the work wherever they lived for their parties, canvassing people and so on. Were you aware of that?

Major General (Ret'd) McLean: I can only assume, yes, that that would happen, but I am not aware of it.

Mr. Chairman: You are not aware of it. Okay, let us proceed.

Mr. Pieters: Mr. Chairman, I do not know if the Commission has this document but I am certainly willing to email it to Commission's Secretariat, but the GDF has a personnel policy that susses out the ambit of the political participation of its members; what its members can and cannot do in the political realm. I am not sure if the Commission has that document?

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Mr. Chairman: I think the civil service through the Region has that sort of document, too. Yet, increasingly across the Region; many of them are active. Those things are honoured in the breach.

Mr. Pieters: No, I appreciate that. I am just asking whether the policy is there as well.

Mr. Chairman: Yes. You are saying it was part of the formal procedure, at least?

Mr. Pieters: The policy sets out what they can do. It says they can attend meetings but they should not go in uniform. They can go in their civilian dress if they are members of a Party.

Mr. Chairman: We will be happy to have it, though. Thanks.

Mr. Pieters: I will email it.

Mr. Chairman: Mr. Ram, did I see you... Oh, sorry, Sir. Commission Counsel has been so silent for so long, I thought he was finished. I am sorry.

[Laughter]

Mr. Hanoman: I just have about four miscellaneous questions.

Mr. Chairman: Let Commission Counsel continue. I actually thought you were finished. I am sorry.

Mr. Hanoman: I am sorry to disappoint you, Mr. Chairman. *[Laughter]* In 1979, and 1980, was Mr. Wycliffe McAllister a member of the GDF? Do you know the name?

Major General (Ret'd) McLean: I have a vague recollection of a McAllister in the GDF, I do not know; PR or something like that.

Mr. Hanoman: You are not aware of the GDF asking him to train members of the House of Israel?

Major General (Ret'd) McLean: I am not aware of that.

Mr. Hanoman: Okay. Did the GDF operate a communication switchboard at Camp Stephenson in 1980?

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Major General (Ret'd) McLean: I would imagine that they have a switchboard at Camp Stephenson. I do not know what the difference is between a communication switchboard and a switchboard for telephones. A telephone system, yes, I am sure that we had that at camp Stephenson.

Mr. Hanoman: In 1980?

Major General (Ret'd) McLean: Camp Stephenson is in Timehri.

Mr. Hanoman: Yes. This is in 1980?

Major General (Ret'd) McLean: Yes.

Mr. Hanoman: Okay. Just to tie up one of the issues rose by Madam Commissioner, were you or any other rank, as far as you are aware, in the GDF, asked by the Police of the movements of a plane?

Major General (Ret'd) McLean: I was never asked. I never knew about it.

Mr. Hanoman: Did you personally fear that Dr. Walter Rodney had infiltrated your army?

Major General (Ret'd) McLean: There was no fear. I think that was a reality. We had *Day Clean*, *YAM-VINE*, you name it. We had all sorts of leaflets and what have you going around the army. It was nothing to be afraid of but it was a reality.

Mr. Chairman: Could you be more specific? Are you conceding that he had infiltrated the army?

Major General (Ret'd) McLean: Yes, I am satisfied that... Well, I do not like the word "infiltration" but he certainly had following in the Army.

13.44hrs

Mr. Hanoman: You did not feel that he may have posed security threat to the Army because of that.

Mrs. Samuels-Brown: It is *Day Clean* and what?

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Mr. Hanoman: *YAM-VINE*.

Major General (Ret'd) Mc Lean: These were periodic like a flyer, I do not want to say who think it was, but it was going around to all the soldiers with an intention to undermine the loyalty and discipline and what have you.

Mrs. Samuels-Brown: I see *Day Clean* in the files given I do not think I see *YAM-VINE* here, so I am looking out for it.

Mr. Chairman: Walter Rodney, did he speak with you from time to time.

Major General (Ret'd) Mc Lean: Never met him, never would have gone to his meeting as yet.

Mr. Hanoman: Just as a rapped up question, do you agree that in the late 1970s and in 1980 that the GDF benefitted historically...

Mr. Chairman: Ten years you have gone to 1970s and the 1980s

Mr. Hanoman: No, 1980.

Mr. Chairman: Alright.

Mr. Hanoman: In the late 1970s and in 1980 do you agree that the GDF was an organisation was the recipient of more human and financial resources than at any other period of our history?

Major General (Ret'd) Mc Lean: You probably right. As I indicated to you if you have 8,000 men artillery battalion and you have a special forces battalion, and what have you, you have a lot of men to train, to feed and we had a lot of exercises going on; iron, weed, greenheart where we kept the soldiers very busy on training.

Mr. Hanoman: So you agree as a matter of Government policy, the Military apparatus of the State was being increased during that period?

Major General (Ret'd) Mc Lean: Well, there was a good reason we had problems on three sides. We had the Surnames on one side, the Venezuelan on one side and the Atlantic Ocean on the other side.

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Mr. Hanoman: And also Walter Rodney?

Major General (Ret'd) Mc Lean: No, I did not see Walter as such a threat. I mean he was a leader who led from the front as I do so I did not see him as a threat at all have never met him, but a lot of my officers went to school with him. I thought he was a front line leader and a political activist.

Mr. Chairman: What was the threat from the Atlantic?

Major General (Ret'd) Mc Lean: I must take you there Sir, and so was a million dollar a mile to keep the ocean out with the rising sea levels we are in real trouble.

Mr. Chairman: Thank you.

Mr. Hanoman: That would conclude my questioning, please.

Mr. Chairman: I do not believe it. You want to go first Mr. Pilgrim?

Attorney for Dr. Patricia Rodney, Asha Rodney, Shaka Rodney and Kanini Rodney [Mr. Andrew Pilgrim]: I understand that Mr. Williams is willing to give way.

Mr. Chairman: He is normally an open batsman, but he said not on every occasion he would seek to open the inning.

Mr. Williams: I had no discussion with my Friend. He is free Sir, to open the batting.

Mr. Pilgrim: My learned Friend give me the specific indication that he is willing to give way, I am surprise to hear that he is changing, I must have dreamt of that conversation in any event.

Mr. Williams: Do you want me to open the batting?

Mr. Pilgrim: No, thanks very much for all your support.

Mr. Williams: It appears like the bowling would be difficult.

Mr. Pilgrim: That is why you going down the order?

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Mr. Pilgrim: Grateful Mr. Chairman. Major, you had indicated that you were surprised of you appointment, why were you surprised?

Mr. Chairman: *[Inaudible]*

Major General (Ret'd) Mc Lean: The emotion is accepted.

Mr. Pilgrim: My emotion?

Major General (Ret'd) Mc Lean: That is an emotion.

Mr. Pilgrim: I beg your pardon, Major General why were you surprised?

Major General (Ret'd) Mc Lean: I was enjoying my work as a Director General in the National Service, we were doing great things with young people, 5,000 young people, and I did not see myself going to the army so that was a real surprise.

Mr. Pilgrim: Were you surprised only with you were doing or you were surprised about what you were called upon to do?

Major General (Ret'd) Mc Lean: I was surprised on what I was being called on to do.

Mr. Pilgrim: Did you think that you were trained to do that? May be I should put it another way. Do you think that there were other people more trained and more qualified that yourself who were due for that post?

Major General (Ret'd) Mc Lean: I would not put it that way, but there were certainly highly qualified people who were within the military structure who you assumed who would become the Chief-of-Staff.

Mr. Pilgrim: Do you know of any reasons why they were overlooked in your favour?

Major General (Ret'd) Mc Lean: I do not have a clue.

Mr. Pilgrim: I am suggesting to you that you do have a clue.

Major General (Ret'd) Mc Lean: No, I do not, honestly. I was enjoying, it was the best service I have ever been in. When you are talking about young people who could move mountains and

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you would lead them, you were, everywhere, you have people in this room here, Director General, you do not remember me, look at that lawyer over there, he is one of them sitting right there and I have many others in this room who would put up their hands and say I was in the National Service that this did wonderful things to me, look you would see the hands going up. It is the best service I ever led and was the most rewarding that I ever had, look hands that are going up, thank you. So I was happy where I was.

Mr. Pilgrim: I understand the happy part.

Major General (Ret'd) Mc Lean: We were 2,000 acres of cotton, we put down a cotton gin, black eye dryers, we were producing black eye and feeding the nation in terms of chicken and eggs and what have you. At Papaya we were doing the same thing for greens. At Itabo we were doing quarrying. At Koneruk and Tumatumari, we were doing lumber and making tooth picks.

Mr. Pilgrim: I understand.

Major General (Ret'd) Mc Lean: It was the greatest experience of my life.

Mr. Pilgrim: You also said that you were not welcome, those were your words.

Major General (Ret'd) Mc Lean: Oh yes.

Mr. Pilgrim: Who did not welcome?

Major General (Ret'd) Mc Lean: The officers of the GDF for the same reason. Who is this police old soldier coming here and if you read David Granger's Book, in his book he said that because they saw me coming to the Army as Chief-of-Staff as where you come from.

Mr. Pilgrim: You come out of nowhere and get this big pick; in Barbados we called it a "big pick".

Major General (Ret'd) Mc Lean: So I was not very welcome there as I told you there was a bomb scared on my arrival. So I said well we have to go.

Mr. Pilgrim: And you got on with the work?

Major General (Ret'd) Mc Lean: I got on with the work.

WALTER RODNEY COMMISSION OF INQUIRY

Mr. Pilgrim: Several of the people that did not welcome you, did you understand those people were PNC Sympathisers.

Major General (Ret'd) Mc Lean: No.

Mr. Pilgrim: You did not understand that?

Major General (Ret'd) Mc Lean: No, I did not see them as PNC sympathisers; I saw them as Military personnel who felt that they were maybe not given the chance to elevate themselves.

Mr. Pilgrim: Can you just confirm for me that there were a number of things that you did not know around the period 13th June through, let us say the 20th, you did not know initially that there any Gregory Smith in existence at all?

Major General (Ret'd) Mc Lean: No.

Mr. Pilgrim: You did not know, but you were eventually told in the next few days that he did exist?

Major General (Ret'd) Mc Lean: Yes.

Mr. Pilgrim: You did not know anything about this plane flying into Kwakwani or anything anywhere else?

Major General (Ret'd) Mc Lean: No.

Mr. Pilgrim: Now, I have to suggest to you that even down in Barbados we heard about this plane, you heard nothing about any plane moving this man at any time?

Major General (Ret'd) Mc Lean: Shortly after?

Mr. Pilgrim: Shortly after, within the period, I want to say weeks to months after you had no knowledge?

Major General (Ret'd) Mc Lean: No knowledge.

Mr. Pilgrim: You knew the chap that you mentioned, Gerald Gouveia, personally?

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Major General (Ret'd) Mc Lean: 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.

Mr. Pilgrim: If he had flown that plane, you would have expected he would have told you?

Major General (Ret'd) Mc Lean: I would have expected to tell me but he did not.

Mr. Pilgrim: Last week he did not tell you that?

Major General (Ret'd) Mc Lean: Last he told me when I think he was summoned to come here.

Mr. Pilgrim: But did he tell you anything of him flying the plane.

Major General (Ret'd) Mc Lean: No Sir.

Mr. Pilgrim: He told you he is coming to give evidence about flying the plane.

Major General (Ret'd) Mc Lean: Yes that is right.

[Inaudible]

Mr. Pilgrim: I beg your pardon.

Mr. Chairman: I just wanted to suggest to the Witness that if indeed he did fly the plane, and I think that is the evidence that we had. Would you then be prepared to accept that you had officers around you, who might have been taking instructions from outside, from the political directorate...

Mr. Pilgrim: Grateful Mr. Chairman.

Mr. Chairman: ...unknown to you perhaps?

Major General (Ret'd) Mc Lean: Possibly, and I thought that I was a mentor for that gentleman.

Mr. Pilgrim: So again you were surprised.

Major General (Ret'd) Mc Lean: Yes, another surprise.

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Mr. Pilgrim: But he said to you that: "I am coming to give evidence about..." well you tell us what he told you?

Major General (Ret'd) Mc Lean: Well I do not remember, I am trying to remember where we met.

Mr. Pilgrim: It does not matter where.

Major General (Ret'd) Mc Lean: Remember I am suffering from "half-symous" not "All" at my age. My mother can give me all that has transpired when I was a little boy, but she do not remember I was there yesterday, so the short memory goes.

Mr. Pilgrim: You told this Commission earlier on that you had a conversation with this gentleman?

Major General (Ret'd) Mc Lean: That is right.

Mr. Pilgrim: And your memory seems reasonably fresh at that point?

Major General (Ret'd) Mc Lean: Yes.

Mr. Pilgrim: Can you remember any of the content whatsoever of that conversation?

Major General (Ret'd) Mc Lean: Only to the effect that he was being someone to come here to give evidence in connection with flying the plane to Kwakwani.

Mr. Pilgrim: "Flying the Plane"?

Major General (Ret'd) Mc Lean: Yes.

Mr. Pilgrim: And this was the first time in 34 years you are hearing anything of that plane?

Major General (Ret'd) Mc Lean: Correct.

Mr. Pilgrim: Did you ask him any question at all?

Major General (Ret'd) Mc Lean: No, Sir. Having not told me for 34 years, I do not want to know.

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Mr. Pilgrim: So you are willing to agree what the Chairman is suggesting that there could have been a complete conspiracy within the GDF of which you know nothing, you are willing to take that?

Major General (Ret'd) Mc Lean: Yes, I am willing to take that.

Mr. Chairman: I did not quite put that.

Mr. Pilgrim: Well I am glad he is taking that Sir.

Mr. Chairman: Members around him who were taking instructions from politicians, bi-pass it.

Mr. Pilgrim: Using my words though, you are will to accept that there may well have been a conspiracy on the...?

Major General (Ret'd) Mc Lean: I am not accepting conspiracy, there may have been somebody who has been given instructions which I knew nothing about, No that I would have known because remember as I told we had 13 or 14 planes and they flew all over this country to bring out people who were injured, snake bite, bad pregnancy whatever it was, all hours of the day or the night.

Mr. Pilgrim: But if they are flying around deserters who are blowing up people you would have like to know about it?

Major General (Ret'd) Mc Lean: I would have liked to know.

Mr. Pilgrim: But you were never told anything of that sort?

Major General (Ret'd) Mc Lean: No Sir.

Mr. Pilgrim: Not even by your good friend Gerald Gouviea?

Major General (Ret'd) Mc Lean: Well I did not call him that?

Mr. Pilgrim: You described him as your friend, not me.

Mr. Chairman: I think we must get this from the Witness though, but if it turns out that, the word taken is that you had personnel in the army taking instructions from the political directorate

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unknown to you, your presentation of the Force is this disciplined organisation because implicit in that, is that it takes order only from the Head, from the chain of command.

Major General (Ret'd) Mc Lean: Was it from the political directorate? I did not know that. I do not know where he got it from.

Mr. Chairman: No, assuming though, assuming that it would mean that your view of there was a... are you prepared to accept that?

Major General (Ret'd) Mc Lean: That what?

Mr. Chairman: If indeed it evidence tells out to be that people outside the Army were giving instruction to army personnel.

Major General (Ret'd) Mc Lean: That is a little too hypothetical I would like to suggest Commissioner.

Mr. Chairman: Why is that so hypothetical?

Major General (Ret'd) Mc Lean: He got instructions from where? I do not know.

Mr. Chairman: But not from within the Army?

Major General (Ret'd) Mc Lean: I do not know.

Mr. Chairman: No, but assume that for a moment.

Major General (Ret'd) Mc Lean: But that is an assumption.

Mr. Pieters: Mr. Chairman, as lawyers and we are all lawyers and you are Commissioners, the rule in Browne vs. Dunn applies and so if the Commissioner has evidence from Gerald Gouveia that he is coming to the Commission to give particular evidence. Then the Commissioner should put it to the Former Chief-of-Staff and let them agree or disagree, let the rule of Browne vs. Dunn apply.

Mrs. Samuels-Brown: Sorry, I thought I understood the witness to be saying when he had this brief conversation with Mr. Gouveia, Mr. Gouveia indicated that he did fly this person.

WALTER RODNEY COMMISSION OF INQUIRY

Major General (Ret'd) Mc Lean: No, I did not say that.

Mr. Pilgrim: No, he did not say that.

Mr. Williams: He never said that.

Mrs. Samuels-Brown: He was coming here to give evidence about what Major General, please? He told you that he was coming here to give evidence of flying a plane?

Major General (Ret'd) Mc Lean: Yes.

Mrs. Samuels-Brown: "Flying the plane"?

Mr. Pilgrim: "The plane".

Mrs. Samuels-Brown: To where?

Major General (Ret'd) Mc Lean: To Kwakwani.

Mrs. Samuels-Brown: To Kwakwani?

Major General (Ret'd) Mc Lean: Yes.

Mrs. Samuels-Brown: With whom?

Major General (Ret'd) Mc Lean: Well he did not tell me that.

Mr. Williams: He said the allegation of flying the plane?

Mrs. Samuels-Brown: No, he did not say "Allegation", Sir. He said he was coming to give evidence about flying the plane.

Mr. Williams: But I am saying if he was saying about an allegation of flying the plane? I do not know, we have not seen any statement from Gerald Gouveia.

Mrs. Samuels-Brown: Excuse me; I am just getting this Witness's evidence as to what he said.

WALTER RODNEY COMMISSION OF INQUIRY

13.59hrs

Mr. Pilgrim: You indicated to the Commission earlier, that you were happy to learn, initially, that there was no Gregory Smith. Naturally, because you did not want this on your plate?

Major General (Ret'd) McLean: Quite in order.

Mr. Pilgrim: And you were happy then to learn, well he is a Soldier, but at least he has deserted. Did you at any time take it upon yourself to try to find out when he had deserted?

Major General (Ret'd) McLean: No.

Mr. Pilgrim: Once you heard deserted, you were done with that, you washed your hands of the whole Gregory Smith affair?

Major General (Ret'd) McLean: No. The police were...

Mr. Pilgrim: You, not the police. You! Did you wash your hands of the Gregory Smith's involvement in the murder of Walter Rodney, when you heard he was a deserter?

Major General (Ret'd) McLean: I did not know he was murdered.

Mrs. Samuels-Brown: We are dealing with the death of Walter Rodney.

Mr. Pilgrim: I beg your pardon Madam, my misphrasing. I beg your pardon. When you learnt that Gregory Smith was a deserter, did you at that point wash your hands of doing any type of investigative procedures via-a-vie his involvement in the death, I beg your pardon, of Walter Rodney?

Major General (Ret'd) McLean: That is a Police matter.

Mr. Pilgrim: The answer to that would be yes?

Major General (Ret'd) McLean: No. I do not like the terminology wash my hands.

Mr. Pilgrim: What terminology would you use to describe, how you did not investigate the matter further?

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Major General (Ret'd) McLean: Whatever, benign.

Mr. Pilgrim: Sorry?

Major General (Ret'd) McLean: Benign.

Mr. Pilgrim: Benign?

Major General (Ret'd) McLean: Position where that is concerned.

Mr. Pilgrim: I do not understand what you are saying. Please see if you can explain that a little bit better. A benign position?

Major General (Ret'd) McLean: Yes. Where this matter was concerned, the Police were going to do the investigation.

Mr. Pilgrim: Did you take any further interest in the matter?

Major General (Ret'd) McLean: Not really.

Mr. Pilgrim: You did nothing.

Major General (Ret'd) McLean: No.

Mr. Pilgrim: In circumstance that you knew that someone who was under your direct command could be implicated in the death...

Major General (Ret'd) McLean: He was not in my direct command.

Mr. Pilgrim: I beg your pardon, someone who would be under your command, your responsibility. If he were indeed implicated in the death, it would be to some extent your responsibility. Do you accept that?

Major General (Ret'd) McLean: No.

Mr. Pilgrim: You do not accept?

Major General (Ret'd) McLean: Too far removed.

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Mr. Pilgrim: You do not accept that if one of your soldiers is involved in the death of a civilian that you do have any responsibility whatsoever in that as Chief-of-Staff?

Major General (Ret'd) McLean: Depend on the circumstances.

Mr. Pilgrim: In the circumstances with which we are dealing. In these circumstance, Sir, you do not accept that you would have had any responsibility to the people of Guyana?

Major General (Ret'd) McLean: You said direct responsibility and I am saying no.

Mr. Pilgrim: I did not say anything about direct.

Major General (Ret'd) McLean: You did.

Mr. Pilgrim: Let me try and rephrase it to make you happier. Do you accept that if Gregory Smith was involved in the death of Walter Rodney, in the circumstances that we understand them to be, that you have a responsibility to investigate that?

Major General (Ret'd) McLean: I do not share your view.

Mr. Pilgrim: Not my view. Do you agree with that...

Major General (Ret'd) McLean: I do not share your view.

Mr. Pilgrim: Please, Sir, do not get vex.

Mr. Williams: Mr. Chairman, he has answered the question.

Mr. Pilgrim: Do not get vex.

Mr. Williams: He has answered the question.

Mr. Pilgrim: You want to bark.

Mr. Williams: Yes, he has answered you. He said no.

Mr. Pilgrim: He said he does not share my view.

Mr. Williams: Well, he is saying no.

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Mr. Chairman: Counsel, I do not think you need to personalise it. All he meant is that I do not share the view that you presented, when he says I do not share your view. You might be expressing a view that is outside *[Inaudible]*. I do not share the view you present.

Mr. Pilgrim: Grateful Chair.

Mr. Chairman: So do not personalise it.

Mr. Pilgrim: No. No. I am not trying in any way to personalise it at all. Trying to take my view out of it, is it your position that if Gregory Smith was involved in this matter and that he was being flown around by people from the GDF that you would have no responsibility?

Major General (Ret'd) McLean: 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 questions directly because a lot of what is being presented to you is reflected in what is before us and shortly to be made public. So you proceed on the premise for a moment that the GDF aircraft transporting Gregory Smith.

Major General (Ret'd) McLean: Do we have evidence of that?

Mr. Chairman: Yes. Proceed on that basis that is the evidence. What is your reaction in the circumstances? You said you did not know. Perhaps you did not know. His question is that if it was drawn to your attention, would you have thought that you had a responsibility to act?

Major General (Ret'd) McLean: To investigate it?

Mr. Pilgrim: Yes, Sir.

Mr. Chairman: However, you act.

Major General (Ret'd) McLean: The police and the other personnel were doing that. I did not see that I had to investigate anything.

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Mr. Chairman: That is one answer. You would perhaps have passed it on to them so let them run with it? Is that what you are saying, that you have drawn that to the attention of the Police?

Major General (Ret'd) McLean: It was being investigated by the Police. No question about it.

Mr. Pilgrim: Did you do anything, in any way, to facilitate and cooperate with the Police investigation?

Major General (Ret'd) McLean: Not me personally.

Mr. Pilgrim: Did you direct officers under your command to cooperate specifically with the Police?

Major General (Ret'd) McLean: No I did not.

Mr. Pilgrim: Did you think that would be something that...

Major General (Ret'd) McLean: No I did not.

Mr. Pilgrim: Can I finish the question before you get your answers in Chief? Did you think there would be any utility in you offering assistance to the police in their investigation in this matter?

Major General (Ret'd) McLean: There were people doing that. I did not have to do...

Mr. Pilgrim: Who was doing that?

Major General (Ret'd) McLean: I have officers under my command who will do that. Not me.

Mr. Pilgrim: How do you know that they did that, Sir? Seems like you turned a blind eye to it Major General?

Mrs. Samuels-Brown: He said officers under his command were involved.

Mr. Pilgrim: Can I ask him who?

Mrs. Samuels-Brown: Just can he now, give him a chance to recall who these officers were?

Mr. Pilgrim: I asked him who and he has not answered.

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Mrs. Samuels-Brown: What has he said?

Mr. Pilgrim: He is not answering. He is “sucking” his teeth. He is “sucking” his teeth and looking about in space. Can you answer that, who were the officers under your command that were dealing with this matter, Sir?

Major General (Ret’d) McLean: The police.

Mr. Pilgrim: The officers under your command, Sir, please.

Mrs. Samuels-Brown: Assisting the police.

Mr. Pilgrim: All the show done now. Let me hear the show. Bring the show.

Mr. Chairman: Major General. I think you still have an obligation to answer us as best you can. He is asking you who were the officers under your command who were dealing with the Police on the matter?

Major General (Ret’d) McLean: Colonel McPherson, Major Lewis, you want me to call anymore dead men?

Mr. Pilgrim: You call the names of people that you are aware were doing the work, dead or alive.

Major General (Ret’d) McLean: Those were the persons.

Mr. Pilgrim: How did you know that they were doing this work? You do not only get nice questions. How did you know that they were doing this work that you said you did not do?

Major General (Ret’d) McLean: They were supposed to do it.

Mr. Pilgrim: They were supposed to do it. Do you have any information that suggests they did any such cooperation with the Police investigation?

Major General (Ret’d) McLean: I think you should ask the Police.

Mr. Pilgrim: I am asking you.

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Major General (Ret'd) McLean: I do not know.

Mr. Pilgrim: Well say that. You only have to say that.

Mr. Williams: Mr. Chairman, first of all, I think my colleague is brow beating the witness.

Mr. Pilgrim: Oh God, this from the great man.

Mr. Williams: Secondly, he has *ad nauseum* stated that the police was investigating this matter. He gave evidence that he was Head of the Joint Services and the coordinating aspect of the joint services. Is it impossible for him to know from that position that the Police was investigating this matter. He has answered that all the time. What is all this hypotheses about? Why must he answer some speculative question that if this happen, that if this did not happen? Where are we going? He has said that he was head of the joint services. They did coordination among the joint forces. The GDF, the police and he is telling you the police were investigating the matter. Why you keep repeatedly asking him the same thing over and over again?

Mrs. Samuels-Brown: Before, can I just get the last question and answer. Do you have any information that they were assisting the Police, and his answer was "I do not know"? Is that the answer we just got?

Mr. Pilgrim: I am not sure what he actually said in response, if anything. I think it was then that my learned Friend rushed to his defense or assistance.

Mrs. Samuels-Brown: I think I heard "I do not know". Can Counsel assist them, please?

Mr. Chairman: Major General, all of a sudden you seem to be no longer with us.

Mr. Pilgrim: He was doing so well before.

Mr. Chairman: You seem, wholly disconnected. I do know if it is only from my learned Friend Mr. Pilgrim or all of us, but I know it is getting late and some of us are getting hungry, but give us your best effort in terms of cooperation of responses. Hopefully, it would not be too long now

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before we bring the days proceeding to an end. Mr. Pilgrim, keep your tone as urbane as you can. I think that...

Mr. Pilgrim: I think since I have landed here, I have begun to take in the tones of my learned Friend to my left. I may have to return to my usual demure self. Sir.

Mr. Williams: That is when it is turned up. When it is ‘*tun up*’.

Mr. Chairman: I thought I detected almost a shouting there too.

Mr. Pilgrim: I think that was the witness. I think that was the witness.

Mr. Chairman: I am sure the Major General will respond. Let us keep it urbane.

Mr. Pilgrim: I am sure he will, Sir.

Mr. Chairman: Let us keep it urbane.

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

Mr. Pieters: Mr. Chairman, can I just say for the Major General’s benefit that you should simply listen to the question that Counsel is asking and not rush to answer it because that is probably the difficulty here. Just listen carefully to the question Counsel is asking and then answer the question and if you do not understand the question, ask Counsel to clarify the question for you instead of getting into the debate and misunderstanding the question.

Mr. Chairman: Counsel, I think Major General has heard you. I am not too sure that he has not been conducting himself that very way. He had been doing admirably well in my view so I do not know that he quite needs that advice but thanks for the reminder.

Mr. Pilgrim: Major General is there a point at which you would say you closed your investigation into this matter? I am sorry, beg your pardon, maybe you would say there was no investigation at all by you?

Major General (Ret’d) McLean: By me.

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Mr. Pilgrim: There was never any investigation by you at all. Is there a point at which...

Mr. Chairman: No, I think that there when you say you, I think you were using that to mean his force?

Mr. Pilgrim: No. I am directing it at him because it seem, his force and him were two different things so I have to direct, directly to him.

Mrs. Samuels-Brown: And his answer was that his force was assisting the police. He did not say his force conducted an investigation independent.

Mr. Chairman: I think implicit in all that he has been saying was that it was being dealt with at a level below him.

Mr. Pilgrim: Right.

Mr. Chairman: I think that is what he was saying.

Mr. Pilgrim: The names that the names you called who were investigating this matter, did you have any conversation with them or any report from them on the progress of their assistance to the Police?

Major General (Ret'd) McLean: They were assisting the Police.

Mr. Pilgrim: Right so the question is, did you get any report from them or have any conversation with them in which they discussed with you the progress of their investigation with the Police.

Major General (Ret'd) McLean: The answer is no.

Mr. Pilgrim: Okay and you would have regarded the death of Walter Rodney, in the context of what you have described for us, as a significant matter?

Major General (Ret'd) McLean: I would think so, yes.

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Mr. Pilgrim: And you did not think that you should in anyway follow up the progress of the investigation of someone who was a former person under your command?

Major General (Ret'd) McLean: No.

Mr. Pilgrim: Wow. All that I can say to that is wow. You did not think that that was something that you would have any responsibility in?

Major General (Ret'd) McLean: That is a different issue.

Mr. Pilgrim: Well, now that you have that issue before you...

Major General (Ret'd) McLean: I do not have an issue with that.

Mr. Pilgrim: No, that responsibility do you not think you had...

Major General (Ret'd) McLean: The answer is no.

Mr. Pilgrim: Oh, I am sorry. You had no responsibility. I certainly agree with you on that one, at least. You had clarified that you did not swear any oath to Mr. Burnham. I think this is what we had looked at earlier. Your oath you swore was to the people of Guyana?

Major General (Ret'd) McLean: I pledged myself to honour always the flag of Guyana, to be loyal to my country, to be obedient to the laws of Guyana, love my fellow citizen. This is my pledge.

Mr. Ram: That is not your pledge.

Major General (Ret'd) McLean: You asked me and I am saying that is my pledge.

Mr. Ram: That is not your oath.

Mr. Pilgrim: We are asking about the oath though. The oath that you swore was to whom?

Major General (Ret'd) McLean: To whom?

Mr. Pilgrim: I am asking you, who did you...

Major General (Ret'd) McLean: What?

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Mr. Pilgrim: I am asking...

Major General (Ret'd) McLean: What oath are you asking me about? If I took what oath? Where?

Mr. Pilgrim: You have to let me finish, if not I will not be able to tell you. What oath, if any, did you swear, when you took the office in 1977 or whenever, 1979?

Major General (Ret'd) McLean: The oath of allegiance, yes.

Mr. Pilgrim: To?

Major General (Ret'd) McLean: The country, to the State of Guyana.

Mr. Pilgrim: Any you never swore any oath to Burnham?

Major General (Ret'd) McLean: No, Sir.

Mr. Chairman: But before whom you swore?

Major General (Ret'd) McLean: President Arthur Chung. Maybe he can read page 186.

14:14hrs

Mr. Pilgrim: Your statement to the Commission, about half of it describes the various awards you received. Do you agree with that?

Major General (Ret'd) McLean: No, I was given a 117 questions...

Mr. Pilgrim: I am just asking you about the statement that you provided; do you agree that about half of it is your awards that you received?

Major General (Ret'd) McLean: No, Sir. It is about my appointments. That is a different story.

Mr. Pilgrim: Oh, I beg your pardon. Do you agree that more than half of your statement consists of describing your various appointments, the medals you received from various people like the Queen of England and the medals of service and the medals of efficiency; do you agree with that? That is really the bulk of your statement, other than the fact that you may want to sue somebody. That is the bulk of your statement, do you agree with that?

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Major General (Ret'd) McLean: Yes.

Mr. Pilgrim: Do you have something to hide from this Commission?

Major General (Ret'd) McLean: From what?

Mr. Pilgrim: I am asking you.

Major General (Ret'd) McLean: I am asking you!

Mr. Williams: Mr. Chairman, I do not understand this line of questioning. It is unfair to the witness; when previous witnesses here have laid over statements that were completely bald. I have raised that with this Commission. The Commissioners said it is okay and they would give their evidence when they are in the box. I have raised this that 99 per cent of what was given by Mr. Rodney, by Father Gilbert, but not Mr. Kwayana that much. 99 per cent of the evidence in that box was not in statement.

Mr. Chairman: I thought, myself, that the question was not fair...

Mr. Williams: It is not a fair question to put to the Major General.

Mr. Chairman: If you have questions to ask, Brother Pilgrim, ask him.

Major General (Ret'd) McLean: Could I ask...

Mr. Chairman: Yes, Certainly.

Major General (Ret'd) McLean: ... I was given 117 questions...

Mr. Chairman: In a limited time.

Major General (Ret'd) McLean: Exactly. So, when I came here, I came to answer those questions. I was told that as a prerequisite was that I had to make a statement. Within the short time, that was the statement I gave.

Mr. Chairman: I think that is the active background to what happened.

Mr. Pilgrim: Grateful to you, Mr. Chairman.

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Mr. Chairman: So, if you have questions, ask him. He is here.

Mr. Pilgrim: I asked him one, Sir. I asked if he had anything to hide.

Mr. Chairman: No, but I do not think that that was an appropriate question to ask...

Major General (Ret'd) McLean: I take objection to that.

Mr. Pilgrim: You can take objection to what you like. It was a direct question. Do you have anything to hide from this Commission? I do not think it is an unfair question, at all.

Mr. Pieters: it is an unfair question. Why do you not establish...?

Mr. Chairman: Having given the background to the circumstances in which he produced a very brief statement, it is now for us to question him, if he needs to do so.

Mr. Pilgrim: Grateful to you, Mr. Chairman.

Mr. Chairman: Yes, do not suggest he hid anything.

Mr. Pilgrim: Did you at any time take any steps to find out anything about the desertion of Gregory Smith?

Major General (Ret'd) McLean: No.

Mr. Chairman: Did you think you had any...

Mrs. Samuels-Brown: I am going to ask you to slow down because I want to hear the answers.

Mr. Pilgrim: I beg your pardon, Ma'am.

Mr. Chairman: She wishes to get the answers.

Mr. Pilgrim: He answered already.

Mr. Chairman: No, to take the foot off the gas and go a little more slowly.

Mr. Pilgrim: Guided, Mr. Chairman.

Mrs. Samuels-Brown: Thank you very much.

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Mr. Pilgrim: Did you think you had any responsibility to the people of Guyana whom you serve to find out about his desertions and the circumstances of his desertion?

Major General (Ret'd) McLean: Shall I answer that?

Mr. Chairman: I thought that you had answered it already.

Major General (Ret'd) McLean: Over and over, same thing.

Mr. Williams: He answered that many times before.

Mr. Chairman: He answered that before.

Mr. Pilgrim: Not on the desertion.

Mr. Chairman: Not on the...?

Mr. Pilgrim: Not on the desertion specifically. I have not asked him about that yet.

Mr. Chairman: Oh, on the desertion.

Mr. Pilgrim: Yes, Sir. I am grateful

Major General (Ret'd) McLean: No, Sir.

Mr. Pilgrim: Did he answer?

Major General (Ret'd) McLean: No, Sir.

Mr. Pilgrim: You thought you had no responsibility in that regard?

Major General (Ret'd) McLean: No.

Mr. Pilgrim: I am suggesting to you, Sir... Major General, beg your pardon, that you deliberately turned a blind eye to this investigation and with the goings on.

Major General (Ret'd) McLean: Shall I answer that?

Mr. Pilgrim: It is up to you.

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Major General (Ret'd) McLean: I am asking the...

Mr. Pilgrim: You were not asking that all along. You have to answer all the questions, Sir, unless the Chair tells you otherwise.

Major General (Ret'd) McLean: Well that is what I was asking the Chair.

Mr. Pilgrim: You were not asking that all the time.

Mr. Chairman: If I thought it was an improper question I would have so indicated. Please answer.

Major General (Ret'd) McLean: What was the question? [*Laughter*]

Mr. Pilgrim: Did you deliberately turn a blind eye to this investigation and its circumstances?

Major General (Ret'd) McLean: No, Sir.

Mr. Pilgrim: Those are my questions for the Major.

Major General (Ret'd) McLean: General.

Mr. Pilgrim: I beg your pardon, Sir.

Major General (Ret'd) McLean: Thank you.

Mr. Pilgrim: Major General.

Major General (Ret'd) McLean: I have earned it.

Mr. Pilgrim: I am sure that you have, Sir. I am sure that you have.

Mr. Jairam: Major is a very low rank.

Mr. Pilgrim: I beg your pardon, Sir?

Mr. Jairam: Major is a very low rank.

Mr. Chairman: I think the omission so far on the record is: Why did you not think that you had any obligation to follow up the matter when once you learnt that one of your members might

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have been involved? The very standard in the eyes of the community might have affected the standing of the Army. Why were you seemingly so detached from it? Why did you not think that you had an obligation to concern yourself with it, if only in following up with officers who were dealing with it?

Major General (Ret'd) McLean: Because it was being investigated both by the police and by the army.

Mr. Chairman: But as the head, did you not think that at any stage you needed to...? "I would need to know from time to time how you are getting on. I know I have it in the hands of good men, you tell your own officers that, but keep me in the loop from time to time let me know what is happening." You never made that extra step?

Major General (Ret'd) McLean: Yes and no. I would say that the matter was so much in the limelight and it was under the Police particularly; investigation being done by the police, so...

Mr. Chairman: And you had good men involved in it too?

Major General (Ret'd) McLean: That is right.

Mr. Chairman: McPherson and... He gave another name.

Major General (Ret'd) McLean: Thank you.

Mr. Pilgrim: But, Mr. Chairman, with the greatest respect, he said he never had any contact whatsoever with those good men so there cannot be any assumption that he was satisfied that they were doing any investigation because he had no contact with them. He did not talk with them at all.

Mr. Chairman: No, that is a form of Leadership, sometimes...

Mr. Pilgrim: By absenteeism, Sir?

Mr. Chairman: Some leaders are very detached. They give it to ...

Mr. Pilgrim: He appears very detached, Sir. I have to agree with you on that.

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Mr. Chairman: A Lieutenant and a... He says the police had the front role. The Police was principally running it.

Mr. Pilgrim: He certainly appears detached.

Mr. Chairman: That is his evidence

Mr. Pilgrim: Grateful Mr. Chairman.

Mr. Chairman: What we can of it when the time comes but that his is evidence.

Mr. Pieters: Mr. Chairman with the greatest of respect and I am sorry that I speak so much, I guess because I have done so much many of these types of hearings but maybe we should request the file from the military, police or intelligence, if they exist for the material time, in respect to this particular matter – The Walter Rodney affair – and what, if anything, the Military Police did to assist the Guyana Police Force, what, if anything, the intelligence unit did, what level of co-ordination there were between these two units. Obviously, the Major General cannot answer those questions 34 years later and he seems to have been out of the loop for whatever reason but if there are records that exist and I wrote to the Commission on this part before, let them be produced.

Mr. Chairman: We may find your suggestion useful but for now do you have any questions?

Mr. Pieters: I am going to tomorrow morning.

Ms. Samuels-Brown: I would just like to point out that the Secretariat has indicated to me that they have been in touch with the Military and I can assure you that the Commissioners, themselves, made preliminary contact with the Military. The request has been made and we have been assure that files are being searched for and certain documents have been presented to us so do not think that we have any dereliction of our duties in that respect. Efforts have been made and are continuing to.

Mr. Chairman: Our relationship is ongoing too, our contact in ongoing.

Mr. Pieters: The thing that I was thinking about in coming here this morning is Terms of Reference (v) because this Commission has been asked to look at what other previous inquest,

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other previous investigations that have been done in respect to this matter and this is an international commission of sort because you have Lawyers from other countries, Commissioners from other countries. This Commission must have before it and must make its best effort to get each and every single document before it at an appropriate time. You do not want to find yourself in a position 20 years later where someone else is looking in your inquiry itself and asking questions which you may have to ask with respect to previous investigations. Any document that would have been relevant for the Major General today should have been here. Somebody should put the pressure on the army to get those documents before the Commission and forthwith.

Mr. Chairman: What are you suggesting... that we have not for the most part been doing that?

Mr. Pieters: Mr. Chairman you can issue a summons to the army and have the Chief-of-Staff appear here. That is what I would have done if I was sitting in Commission's Counsel position which I have in over a 1,000 hearings. I would have issued a subpoena as a record holder he would have been here and with those documents.

Mr. Chairman: The only issue is that you do not get voluntary cooperation.

Ms. Rahamat: Mr. Chairman...

Mr. Pieters: This is a tribunal hearing into a serious matter.

Mr. Chairman: Yes, but you do not walk about issuing subpoenas. You let people cooperate voluntarily with you.

Mr. Pieters: The documents should have been here; if not, a subpoena is appropriate, if it was me.

Mr. Chairman: Apart from lecturing the Commission, do you have any questions of the witness?

Mr. Pieters: Mr. Chairman, I will precede with my questions in the morning.

Mr. Williams: To support my learned Friend...

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Mr. Chairman: I recognised Commission Counsel before you.

Mr. Williams: As it pleases you.

Mr. Chairman: Go ahead, please.

Ms. Rahamat: I just wish to state for the record that the Guyana Defense Force has been cooperating with the Secretariat. They have been providing us with documents and we are liaising with one Mr. Patrick West, who is currently serving within the army. It would be inaccurate to say that we have not been receiving cooperation from the Guyana Defence Force.

Mr. Williams: Mr. Chairman I just wish to state that the Major General is here by virtue of a subpoena. He has been subpoena to come here and I do not know what cooperation there is and no document are forthcoming from the GDF and by now the document should have been subpoenaed because he has already testify. He has been shown documents so I do not think it lies in the mouth of Counsel for the Commission to say that they are cooperating. Cooperating to produce what? Nothing?

Mr. Chairman: I am not sure there is any real dispute that should be pursued here in the terms of which of which it is suggested? No one has suggested to the witness as of yet something that he said that he would need to see documentary support. "Where is the file?" No one has suggested that. All the questions asked of him, for the most part, he answered them out of his own knowledge and with no need for files. So I do not understand what is this big thing is about files.

Mr. Williams: He was shown something with a signature...

Mr. Chairman: He said he did not recognise McPherson's signature on it.

Mr. Williams: Then he was shown another document and it was told by Counsel that it was supposed to be from some accounting ledger. How are we proceeding?

Mr. Chairman: Is he supposed to know each and every thing? He says yes he knows the form as a form is used by the GDF but he did not recognise the signature. He was shown another a pay sheet and he said it seems to have had an additional portion added on to it. That is all that he is

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saying? So how is this big talk now about files and the absence of files... that relates to before his time.

Ms. Samuels-Brown: Can I say something...?

Mr. Chairman: Yes.

Mr. Pieters: Mr. Chairman, in the army – I am sure that if you have received a file you would see that – when a major incident happens within the Guyana Defense Force or the Guyana National Service because, as the Major General told you I did do a stint as a teenager 17 to 18 years old with the National Service, they do have their own internal inquiries and Commissions of Inquiries and if you were to get the files you would see what Commission of Inquiry was conducted internally by the army in respect to this particular incident because they would have had an inquiry with respect to the Gregory Smith affair, internally.

Mr. Chairman: You have the opportunity to ask him about it. You are lecturing the Commission and the chance is there for you to question.

Mr. Pieters: I am not lecturing you, Sir. I am just requesting documents and putting my thoughts on the record. I could never lecture such distinguished persons like yourself and please do not take it that way.

Mr. Chairman: If for the purposes of your questioning you knew the witness was coming you would have indicated to us you are aware of an inquiry and that you would like him to be walking with file we could have so indicated. In fact, when we adjourn, I do not think we will complete today, we can make that request of him. It can be done quietly, politely and effectively but you seem to know something that we did not know; there was an internal inquiry, you have the opportunity to question him about it, but to the extent that you have mentioned it, we will ask him, Major General most likely please advise Commission Counsel that tomorrow is available to him, yes. It is now half past two so we are going to take a break shortly, but we will like you to walk as indeed we have been told that there has been a file dealing with an internal inquiry and if it is not too late for you to get hold of this, I do not know where it may be filed I will be glad if

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you could walk with it. Well you are no longer there, but it may very well be that you cannot, but if you cannot we will make efforts to get of the Army.

14.27hrs

Mr Pieters: Mr Chairman why do you not direct the Army to bring it here tomorrow. Ask the record holder to bring the file just like you would the hospital or anywhere else. He is no longer with the Army and would not have possession of Government property. That is the Government of Guyana's property. Direct the Army to do it that what your powers are as Commissioners.

Mr. Chairman: I do not know why you are so energetically lecturing us. I take on board the suggestion, however, that we can make the request of the custodian of the files I do not know whether we will get them here in time, but we can if necessary.

Mr Pieters: We are trying to get to the truth of this matter and every single document that exists and should exist, should be here that is what my point is. I am certainly prepared to excuse myself from the Commission if that cannot happen because I am not prepared to be part of a tribunal where 20 years later my name is on the record and it is questioned as to why we did not take the due diligence to get those documents. If I was Commission Counsel and advising you, a subpoena would be issued. I was Counsel for the immigration and Refugee Board of Canada on many cases involving war crimes, crimes against humanity and many other cases, and we made sure we dealt with international agencies through our mission to get as much evidence as possible, so that when decisions are made, there was a full factual foundation, and that is the problem I am finding with this case that the Army has produced nothing. I have no evidence as to what steps the Commission took to get those materials from the Army, and Major General is here, no documents that are properly with the Army are here to put before him including Gregory Smith's file and that is totally unacceptable because if those files were here, it would have shown what steps were taken to deal with the Gregory Smith's desertion. None of which is here, and one of the counsel representing the Rodney's family has already asked his questions without the benefit of seeing those documents.

Mr. Chairman: We are not too late to get hold of files, if indeed they are still available. We will make every effort to do so, but do not give anyone the impression that a large number of files

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have not been made available to us. Just that we can provide the material that we have been providing in support of the Commission. But if you think, in this particular case, there are files that we should have seen, Counsel is prepared to make every effort to make sure that we get them. The Witness has to come back and perhaps we may defer his coming back until the next session, if you think that is convenient, so to give you the opportunity to get whatever files you think may be relevant and may be available.

Mr. Williams: Mr Chairman, may I give some advice on the matter. I think the urgent route that ought to be used is that the Chairman of the Defense Board, if the request is made to the Chairman Defense Board.

Mr. Chairman: He should be able to speed it up?

Mr. Williams: He should his name is Dr. Luncheon, Roger Luncheon.

[Laughter]

Mr. Chairman: You seem to know well of his capacity. I am taking note, I am taking take.

Mr. Williams: That is the best person for you, the Counsel, your staff.

Mr. Chairman: And as soon as I heard the name, I have agreed with you.

[Laughter]

Mr. Jairam: I wonder why your suggestion brought down the house.

[Laughter]

Mr. Chairman: They seem to know what you know. He could get things done.

Mr. Jairam: I hope you are not setting us up.

[Laughter]

Mr. Williams: As far as I know he is the Chairman of the Defense Board.

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Mr. Jairam: Mr Pieters, I do not think you are being entirely fair to Commission Counsel. You practice in a very sophisticated jurisdiction, and I can tell you that we in the Caribbean do not move in the same alacrity that you are accustomed to. No effort has been spared, as far as we are concerned about, getting those records but we are hoping that we do not have to use our coercive powers to get them, and of course, we have it within our discretion to defer any witness, if an issue arises. We are very grateful for your suggestion, but I think, if I am to, your tone seems to be very critical, but it is an on-going exercise and remember we have been trying to meet given the some 34 years, almost. I think today is the 5th in a few days will be 34 years since this incident has occurred. So some of these records by these various agencies, I suspect are in the archives and it will take some doing in retrieving them. It is not an incident that occurred last year or five years ago. So efforts are being made. We were encouraged in our stakeholders meeting, but the clear indications we have received from the Army, the Police and all the others including your client, the Guyana Trades Union Congress, about the cooperation so we would like to, you know, assure you that we are making every effort and we are alive, we are alive individually and collectively, of our very onerous responsibilities and we do not want posterity to be unkind to us. We are very grateful, but I wish you were not as severe to the Commission Counsel as you appear to be. I am sure I hope with my comment are assured.

Mr. Pilgrim: Mr. Chairman, I just wanted to indicate that while with much of what Commissioner Jairam is saying. I also agree with much of what my learned Friend who practices way in the North in the first world is saying. I do not think that we should, in any way, try to move away from standards that we have set in the Caribbean with is that generally speaking, we do not like to cross-examine when we have seen papers for the first time when the witness arrives and generally speaking, throughout the proceeding so far, in my involvement, we have seen people's statement days maybe a day or two before or on the day and it is not a standard to which we are accustomed to in this region. If it is that we are unable to provide statements the day before, it may be that these proceedings should be adjourned until such time as those statements are available. Rather than every time we arrive here, we receive a statement the same day or the day before and then we proceed...

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Mr. Chairman: I do not know how much experience you have in Commissions of Inquiry, but this is my eighth and I can tell you that in each one, including the most recent one in Trinidad that went for three years the Coup Commission of Inquiry, some statements we had in advance of sittings, some were produced in the midst of sittings because the Commission is a dynamic process. Something is mentioned by a witness that caused the investigators to pursue that line that was indicated and in two or three days, an additional statement is provided. You get it the morning, but you are focusing so it falls into context and you question the Witness on it a day later. Nothing unusual in the Commission of Inquiry; it is hectic work.

Mr. Pilgrim: We understand the dynamic situation. But there is an availability of a lot of this material, in our view; I agree with Mr. Pieters on this, some of this material should have been available already.

Mrs. Samuel-Brown: I should add, you know, if I may Mr Chairman, that the late production of statements does create a special and extra burden on us Commissioners and so on Counsel and as you speak Mr. Pilgrim, I would also urge that Counsel who are here who are representing various parties and bodies if you could ensure that the parties and bodies you represent, could produce their statements to us because there are persons here who are cross-examining and examining, we still have not got statements from the clients you represent . So if charity could start at home it would be most greatly appreciated by us.

Mr. Pilgrim: I am grateful to you Madam Commissioner, but we must be aware that those witnesses are certainly not coming in this session and that we have giving undertakings in writing to when those statements will be produced, and so that everyone should have more than a week or two weeks base on the breaks that you all have scheduled as to when those statements will be in your possession.

Mrs. Samuel-Brown: I called no names Mr Pilgrim.

Mr. Pilgrim: But I am not frightened to talk for myself.

[Laughter]

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Mr. Williams: Well I am happy that the Commissioner has said so because the Commissioner is trying to find out, I believe, whether we are still cooperating. My clients.

[Inaudible]

Mr. Jairam: Mr Pilgrim, may I just add because I think we need to put this to bed once and for all. As you know, and all Counsel here, are all experienced, normally when you have a case, you have all the statements. So apart from the dynamic of its own, you know what your client is likely to say, we do not know. Had we had slight of it, we would have been able to ask any witness, but not on assumption this witness likely to say when he or she comes 'X,' 'Y' and 'Z', what do you have to say about that? So it will help I join the chorus and I fully endorse what my fellow Commissioner Mrs. Samuel- Brown Q.C. has said that it will be very useful indeed. I understand Mr. Williams's position.

Mr. Pilgrim: We all added them and I wrote to the Commission Secretariat indicating that on Friday of this week, that statement should be with you. So I hope I will still be able to comply with that but subject to my ability to keep up with the daily proceedings in circumstances that I am getting materials day by day I have other things to do including eating and sleeping.

Mr. Jairam: And I hope that all your colleagues on that side will follow.

Mr. Pilgrim: We are working hard we are working hard we are most grateful to you.

Mr. Jairam: We are most grateful.

Attorney for the Working People's Alliance (WPA) [Mr. Christopher Ram]: Noted Commissioner Jairam, I have noticed what you said.

Mr. Chairman: The only outstanding issue now is whether in adjourning we should be calling Major General back tomorrow or whether... You are not living here Sir as I understand it?

[Inaudible]

Mr. Chairman: You are living here?

Major General (Ret'd) McLean: Yes.

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Mr. Chairman: Yes.

Major General (Ret'd) McLean: But I have other appointments for tomorrow.

[Inaudible]

Mr. Chairman: Yes, but that might be a good thing in the sense that we may need some time to pass before you come back the next occasion because it will allow us to secure the documents about which mention was made. I wish they approve to be of some help and that is not getting documents for getting sake but we could not know until we see the documents but to that extend every effort should be made to secure them.

Mr. Pilgrim: Grateful chair.

[Inaudible]

Mr. Pilgrim: Mr. Chairman, I just wonder if I could reserve my right in the event that I do get those documents before we continue any process if necessary.

Mr. Chairman: Yes all that opportunity we have given to you commission counsel we are covered otherwise for tomorrow?

Mr. Williams: I would like to know which witness now will be interposed, we are cutting and pasting a lot.

Mr. Chairman: Yes, it happens often for the Commissions of Inquiry, nothing new about that. If we can complete a witness, we would like to do that, but this is not unknown are we otherwise covered...

Mr. Hanoman: I am actually, I think, we are a little bit embarrassed by Mr. McLean saying he is unavailable tomorrow. Our anticipation was that he would have continue for the rest of the day.

Mr. Chairman: Yes but in light of what he just told you do you have a witness available?

Mr. Hanoman: We can have a witness, but I doubt we will be finished tomorrow.

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Mr. Chairman: Okay, I was not asking whether we can finish tomorrow whether you have one. I do not want to have 'dead day'.

Mr. Hanoman: Yes.

Mr. Chairman: You have a witness well that is good.

Mr William: So could we know who the witness would be?

Mr. Chairman: Yes if you

Mr. Hanoman: Allan Robert Gates well he has many aliases.

Mr. Williams: You have a statement for him?

14.44hrs

Mrs. Samuels-Brown: Apparently, a check is being made. If you do not have it now we will ensure... Counsel for the Commission is indicating that you will have it before the day's end. I think an apology will be appropriate in the circumstance.

Mr. Williams: I hope I could get the Coroner's Inquest that I had asked for about a week ago; I could get that today, also.

Mr. Chairman: I have said before and I want to say it again. As soon as you get a statement – I have said that and I am sure you have heard me say that, Mr. Williams – get it out to all the parties. Do not keep it here. It is no help to anybody here. To all those who are participating: As soon as you get a statement, within hours, it should be out. You have a Secretariat here, you have bodies at work. A statement has come in – out!

Mr. Hanoman: Mr. Chairman, there are a few persons who have given statements that have asked, for reasons of security, not for their statements to be given too early. They fear for their own safety, I do not know how we are going to treat that.

Mr. Williams: I do not know of anything in this Commission to make anybody feel afraid of anything.

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Mr. Chairman: When you have that problem, you bring it to me and I will handle that.

Mr. Pieters: Mr. Chairman, Lawyers are all officers of the Court, regards of which jurisdiction we are from. We have certain obligations, as officers of the court, that we have to maintain in any event so that would not apply to us.

Mr. Hanoman: Up to yesterday, somebody was threatened with death, in this very Commission...

Mr. Pieters: Does that have anything to do with the Lawyers?

Mr. Chairman: I think that you are falling down because if that happens, you should let us know....

[Laughter]

Mr. Chairman: Keeping it to yourself would not help. If that is the position, you let us know. We know who to contact and consult about those things. You seem not to know but you tell us. Very well. We are adjourning until tomorrow at 09:00 hrs.

Mr. Hanoman: I was wondering whether we could give the Major General any indication about his return date. I know there are other persons who may wish to question him...

Mr. Chairman: I am coming to that, and thanks very much for reminding. Major General, we want to thank you for your presence today, and for sharing with us, all that you have done. We need to have you with us on another occasion, which we cannot determine now. We will be in further touch with you and so you will be bound over to a date of which you will be advised. You will be told in due course and hopefully not with any day's notice but for a much longer period so that you can prepare yourself to return and continue your testimony. Unless Commission Counsel, you tell me if there is any other matter- we want to take the adjournment at this point which is 14:40hrs.

Mr. Hanoman: I think we are all happy for the adjournment.

Mr. Chairman: Yes, until tomorrow, at 9:00hrs. Have a good afternoon. Thanks.

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Adjourned Accordingly at 14.44hrs