

Truth and Reconciliation Commission GRENADA REPORT

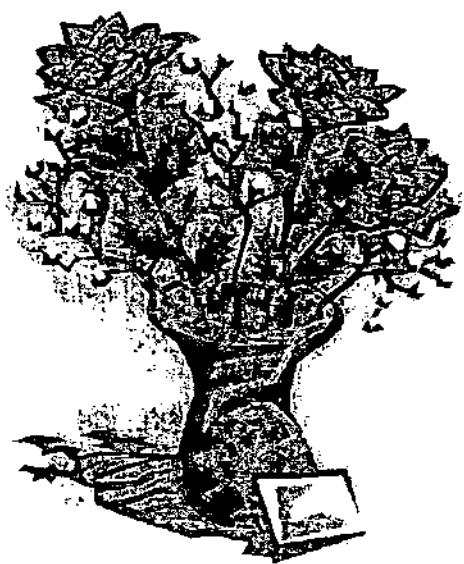


Redeeming the past:
A time for healing

Volume I

MAR 12 2008

F
2056
8
1674
2006
11



Official Launching

Of the

Truth and Reconciliation Commission

Tuesday, 4th September, 2001

Governor General 's House
St. George's

THE GRENADA
TRUTH
AND
RECONCILIATION
COMMISSION

“REDEEMING THE PAST: A TIME FOR HEALING”

REPORT

on
certain political events which occurred in Grenada 1976-1991

COMMISSIONERS:

Hon. Donald A. B. Trotman – Chairman

His Lordship Bishop Sehon S. Goodridge

The Rev’d Fr. Mark Haynes

Submitted: March 28, 2006

PROGRAMME

Invocation	-	Bishop Sehon Goodridge
Brief Welcome	-	Mr. Adrian Hayes, Ag. Permanent Secretary, Ministry of Legal Affairs, Labour and Local Government
Opening Remarks	-	Sen. the Hon. Raymond Anthony Attorney General and Minister c Legal Affairs
Remarks & Official Launching	-	Sen. the Hon. Lawrence Joseph Minister of Labour and Local Government
Remarks	-	Hon. Donald Trotman, Chairman - Truth and Reconciliation Commission
Press Conference Follows		

VOLUME 1

TABLE OF CONTENTS

	PAGES
TEXT OF SUBMISSION OF REPORT OF THE T.R.C. TO HIS EXCELLENCY THE GOVERNOR-GENERAL BY THE CHAIRMAN OF THE T.R.C.....	6
ACKNOWLEDGEMENTS.....	9
INTRODUCTION.....	11
PROFILE OF COMMISSIONERS	14
PROFILE OF SECRETARIES TO THE T.R.C.	16
<u>PART 1</u>	
<u>SECTION 1: Legislation governing the appointment of the Truth and Reconciliation Commission (T.R.C.)</u>	
<u>SECTION 2: Mandate and Terms of Reference of the T.R.C.</u>	19
<u>SECTION 3: Methodology and functioning of the T.R.C</u>	19
<u>PART 2: Summary of the periods under review</u>	
<u>SECTION 1: Pre-Revolutionary Period: 1976-1979.....</u>	22
<u>SECTION2: Revolutionary Period: 1979-1983</u>	24
<u>SECTION 3: Post-Revolutionary Period: 1983-1991.....</u>	30
<u>PART 3: Other Areas Examined By The T.R.C.</u>	
<u>SECTION 1: Compensation requested by victims during the period under review</u>	33
<u>SECTION 2: "The Grenada 17"</u>	36
<u>RECOMMENDATION</u>	40

PART 4: Obstacles to healing and Reconciliation in Grenada as Identified by the T.R.C.

<u>SECTION 1: PREAMBLE</u>	41
<u>SECTION 2: The continued absence of the remains of those who were executed on Fort Rupert on October 9th, 1983.....</u>	44
<u>RECOMMENDATION</u>	46
<u>SECTION 3: Non compensation, and lack of adequate compensation to victims and families of victims who died or suffered during the period under review.....</u>	46
<u>RECOMMENDATION</u>	48
<u>SECTION 4: Monuments, Memorials, and dates for public holidays.....</u>	48
<u>RECOMMENDATION.....</u>	49
<u>SECTION 5: The continued incarceration of the former leaders of the P.R.G and P.R.A(also known as "the Grenada 17").....</u>	49
<u>RECOMMENDATION.....</u>	50
<u>SECTION 6: Socio-Political Obstacle.....</u>	50
<u>RECOMMENDATION.....</u>	51
<u>SECTION 7: Lack of Political and Personal Responsibility.....</u>	51
<u>RECOMMENDATION.....</u>	53
<u>SECTION 8: Unwillingness to reconcile.....</u>	53
<u>RECOMMENDATION.....</u>	54
<u>SECTION 9: The Airport.....</u>	54
<u>RECOMMENDATION.....</u>	55
<u>SECTION 10: Concern for victims.....</u>	55
<u>RECOMMENDATION.....</u>	55
<u>PART 5: The bodies/remains</u>	
<u>SECTION 1: Testimony of, and interview with DR. Robert Jordan of the St. George's University.....</u>	56

SECTION 2:	Dr. Terrence Marryshow.....	60
SECTION 3:	Mr. Alister Hughes.....	61
SECTION 4:	Excerpt from the memorandum submitted by Keith Scotland on behalf of the "Grenada 17.".....	62
SECTION 5:	Excerpt from the 1986 issue of the Nation Newspaper of Barbados.....	63
SECTION 6:	Assessment	64
SECTION 7:	Testimony of Mrs. Annie Bain (wife of the executed Norris Bain).....	65
SECTION 8:	Armed forces institute of pathology Washington D.C. 12 th December 1983, Consultant Report	
SECTION 9:	Chapters 2-6 from the booklet: "Under Cover of Darkness." By the Young Leaders of Presentation College 2000 and 2002 Grenada. RECOMMENDATION	

PART 6: Evidence of witnesses

SECTION 1:	Evidence and Testimony of some of the persons who came before the commission. Verbal interaction between witnesses and Commissioners.....	68
SECTION 2:	Assessment of evidence and Testimony of witnesses.....	85

PART 7: Obstacles to the functioning of the T.R.C

SECTION 1:	Legal obstacles.....	87
	RECOMMENDATION.....	90
SECTION 2:	Administrative and Logistical Obstacles.....	91

**PART 8: Some matters of concern that came to the attention
of the T.R.C. During its inquiry.....** 92

Part 9: Other Relevant Recommendations..... 94

PART 10: Concluding Statement 97

VOLUME 2:

APPENDICES

- A. Terms of Reference of the T.R.C.
- B. Memoranda received by the T.R.C.
- C. Other documents received by the T.R.C.
- D. Public outreach meetings.
- E. Questionnaire and analysis.
- F. Press releases.
- G. To the Point-Morning Radio Programme.
- H. Notes of meeting between the T.R.C. Grenada, and a delegation
from South Africa which included members of the South African
T.R.C.
- I. Notes of meeting between the T.R.C. and the Conference of
Churches Grenada.
- J. Organizations and groups invited to meet with the T.R.C.
- K. Persons and organizations who came before the Commission and
of those who sent memoranda.
- L. Persons whom the T.R.C. made courtesy calls.
- M. List of known injured persons.
- N. Persons who made contributions at public symposia of the T.R.C.
- O. Field Officers' report.

P. News paper clippings:

Grenada Today: September 7th 2001 - Members sworn in for new Commission of Inquiry.

The Grenadian Voice: October 20th 2001 - Several witnesses testify in first sitting of the Truth and Reconciliation.

Grenada Today: October 12th 2001 - Truth and Reconciliation letter .

The Grenadian Voice: March 9th 2002 - People in Mt. Rich unburden to the Truth and Reconciliation .

The New Grenadian: April 1984 - "It must never happen again".

Q. BISHOP TRIAL REPORT - December 1986 - By the Nation Newspaper of Barbados. Referred to, and examined by the Truth and Reconciliation Commission.

R. Names of some other relevant documents referred to, and examined by the T.R.C. during its inquiry.

VOLUME 3

A. Letters received by the T.R.C.

B. Letter sent by the T.R.C.

Text of submission of T.R.C. Report to His Excellency the Governor-General, by the Chairman of the T.R.C.

To: His Excellency Sir Daniel Williams, GCMC, Q.C.
Governor-General of Grenada, Carriacou & Petite Martinique
Government House
St. George's
Grenada

From: Donald Trotman
Chairman of the Truth and Reconciliation Commission

Subject: **Submission of the report of the Truth and Reconciliation Commission.**

Date: March 28, 2006

May it please Your Excellency,

On the 4th September 2001, pursuant to the provisions of the Commission of Inquiry Act, you appointed His Lordship Bishop Sehon Goodridge, the Reverend, Father Mark Haynes and myself to be and act as Commissioners, to inquire into and record certain political events which occurred in Grenada during the period 1st January, 1976 to 31st December 1991, and to report and make recommendations on matters relating to them with particular attention being given to the following objectives:

- (a) the events leading up to and including those of 13th March, 1979 and repercussions;
- (b) the shooting deaths of various persons at Plains, Mount Rose and Mount Rich in St. Patrick's during the period 13th March to 31st December 1983;
- (c) the events leading up to and including those of 19th October 1983 with particular reference to the following:

- (ii) the root causes of the general political turmoil in the State;
 - (iii) the circumstances surrounding the deaths of various persons including the Prime Minister and other Ministers of Government, on what was then referred to as Fort Rupert (now Fort George);
 - (iv) to ascertain as far as it is practicable the identities and total number of persons who lost their lives on Fort Rupert;
 - (v) the disposal of the bodies of those who lost their lives on Fort Rupert;
- (d) foreign intervention by armed forces of the United States and the Caribbean in October, 1983.

The Terms of Reference of the Commission required us to report and make recommendations within three months from the date of the last sitting of the Commission or the hearing of evidence or within a reasonable period thereafter.

It is regretted that due to causes and circumstances not entirely related to our own shortcomings, we are only now able to submit this Report to Your Excellency, but we crave your indulgence, none-the-less, to pardon us for the delay.

Many factors have combined and contributed to disrupt the speedier functioning of the Commission, the more timely progress of its inquiry, and even to frustrate its efforts towards earlier completion of this Report. Throughout much of its work, the Commission suffered from several setbacks occasioned by the administration; inadequate logistical and financial arrangements; insufficient support staff and secretariat accommodation; and some unwilling and uncooperative official personnel. However, we feel gratified to report that more recently, some genuine efforts were made to rectify these situations.

Then, just when the Commission was settling down to continue its inquiry, the intervening ravages of Hurricanes Ivan and Emily inflicted prolonged periods of disability on the people of Grenada and on the functioning capacity of the administration and of the Commission.

But it would be unfair to cast blame on other persons and on other factors without assuming some responsibility for the consequences of our own trespasses and recognising the effects of our own misfortunes: The inability, at times, of two members of the Commission, (the Chairman and another) who live outside Grenada, to commute more

often and more punctually; the difficulty in concurring more readily and more consistently among ourselves on several issues; and the most unfortunate illness of the Commission's valued member, Bishop Goodridge, which prevented him from taking part in the later stages of the Commission's work and deprived the Commission of his contribution during its closing deliberations.

But in spite of all these constraints, we have held steadfast to our task and tried, as best we could, to be faithful to the Terms of Reference of our Commission, to achieve the objectives stipulated therein and to obey the mandate of our appointment.

Enquiring into causes and consequences of evil deeds engendered in the minds of men and women can never be an easy matter; and searching for truth which lies buried under countless horrors of violent conflicts, gross violations with informed memories and the overgrowth of thirty years, is neither a pleasant nor an enviable experience.

During the course of its inquiry and searches the Commission, inter alia heard evidence, interviewed persons with informed memories, examined circumstances 'which existed', and events which occurred during a period of fifteen (15) years in the past (1976 to 1991), with a view to making findings and recommendations that would create opportunities for forgiveness and reconciliation among relevant parties affected by these circumstances and events; and that could help to heal wounds so that they do not fester into the future. The end of this Odyssey is evidenced in the three volumes of our written Report.

Those who must be involved in this process of forgiveness, healing and reconciliation, are required to have courage, magnanimity and big hearts. These same qualities, your Commissioners wish to think, must have been possessed in good measure by those who were inspired to conceive the idea of a Truth and Reconciliation Commission and by those who invested us with the authority to undertake our inquiry.

We wish we could have done what we were supposed to do in shorter time and with less delay. However, we take comfort in knowing that good things come to those who wait.

This is a time to redeem the past - a time to heal.

It is our sincere desire that the efforts of our Commission and the implementation of relevant recommendations in our report, would achieve the intended objective of bringing closure to old wounds of the past, so that the people and nation of Grenada could move forward with renewed hope and life and spirit.

May it please Your Excellency, I have the honour to now submit to you this Report of the Truth and Reconciliation Commission.

Justice Donald Trotman

CHAIRMAN, TRUTH AND RECONCILIATION COMMISSION

ACKNOWLEDGEMENTS

The TRC wishes to acknowledge the contribution of the following persons:

His Excellency, the Governor-General Sir Daniel Williams
Prime Minister, The Right Honourable Dr. Keith Mitchell
Mr. Lawrence Joseph- Facilitator to the Commission
Ms. Claudette Joseph- Former Secretary
Mrs. Eleanor Glasgow - Former Secretary and Field Officer
Ms. Nisha Mc Intyre - Interim Secretary
Ms. Annette Henry - Secretary

Permanent Secretaries and Heads of Department

Mr. Adrian Hayes
Mrs. Gemma Bain- Thomas
Ms. Nadica Mc Intyre
Mrs. Elizabeth Greenidge
Mrs. Margaret Jawahir

Secretariat Staff and Assistants

Mr. Julius St. Clair- Field Officer
Ms. Josephine Mc Guire- PRO to the Commission
Registrar and Staff of the Supreme Court Registry
Mr. Max Phillip - Transportation
Ms. Coreen Mc Burnie - Secretarial Assistant
Ms. Karlene Smith - Secretarial Assistant
Ms. Cindy- Ann Roberts - Secretarial Assistant
Ms. Susan Mitchell - Office Attendant
Ms. Juanella Sandy - Secretarial Assistant

Police Officers who maintained security at the Scott Street Secretariat.

Witnesses who appeared and gave testimony.

Those who submitted memoranda and those who communicated verbally and through written correspondence to the Commission.

Those on whom courtesy calls were made by the Commission.

Chairpersons, organizers, and all those who participated in the public outreach meetings in Grenada and Carriacou.

Keith Scotland, Attorney-at-Law for "the Grenada 17"

Conference of Churches Grenada - delegation.

WPC, Vah Harford of the Royal Grenada Police Force - Poem entitled "Truth and Reconciliation"

The South African Delegation comprising Honourable Dullah Omar, Minister of Transport and Former Minister of Justice.

Prof M.R Rivelamira Special Adviser to the Minister of Transport.

His Excellency Thanduyise Henry Chilifa South African High Commissioner to Grenada.

INTRODUCTION

On the 4th day of September 2001, acting in accordance with the advice of Cabinet, His Excellency the Governor-General was pleased to appoint a Commission under the provisions of the Commission of Inquiry Act, chapter 58 of the laws of Grenada, directing it to inquire into and record certain political events which occurred in Grenada during the period 1st January, 1976 to 31st December 1991, with particular reference to detailed matters contained and itemised in the Terms of Reference attached to the instruments appointing the Commissioners.

The Commission was designated the **Truth and Reconciliation Commission** and was constituted as follows:

Hon. Donald A.B. Trotman of Guyana, Former Judge of the High Court of the Supreme Court of Guyana;

Bishop Sehon Goodridge of Barbados, Anglican Bishop of the Windward Islands;

Father Mark Haynes of Grenada, Roman Catholic Priest; and

Ms. Claudette Joseph, of Grenada an Attorney-at-Law practising in Grenada as Secretary to the Commission.

The detailed matters in the Commission's Terms of Reference which required investigation, recording, reporting and recommending on, are set out in the Terms of Reference as appears in **volume 2 Appendix A** of this report.

In accordance with the authority of their appointment and the mandate of their instructions under the Terms of Reference, the Commissioners commenced their work with preparatory meetings from 5th to 7th October 2001, during which time the Commissioners mapped out a plan of action including the methodology to be used in the carrying out their work. **(See Part 1, Section 3 of this Report)**. The Commissioners began taking evidence on 9th October 2001 at premises provided as its Secretariat on Scott Street, St. George's.

While appreciating that it was obliged to adhere faithfully to its Terms of Reference which required special and immediate consideration, the Commission understood from the outset that it would not be possible to give treatment to the matters within its mandated purview without allowing itself some flexibility of functioning and some discretion and scope to consider related facts and circumstances which were not within the ambit of the four corners of its Terms of Reference.

Consequently while the Commissioners inquired into events within the periods 1976 to 1979, 1979 to 1983 and 1983 to 1991, they could not help retreating a little into a short period before 1976.

To facilitate the organisation of its own work as well as to give the readership of its Report the benefit of seeing some ordered structure in its approach, the Commissioners have divided the Report into three (3) volumes. Volume 1 contains the substantive portions of the Commissioners' work, Volume 2 contains the appendixes which include memoranda, other relevant documents and newspaper clippings. Volume 3 contains letters received and sent by the T.R.C. during its inquiry.

It should be pointed out that the Recommendations mentioned in **Part 9** as "Other Relevant Recommendations" are in addition to the specific recommendations which come at the end of the main headings in volume 1 of this report, and to the various comments and opinions expressed directly or inferentially in other relevant places of the Report.

The Commission will be less than frank if it did not confess that during its extensive and intensive inquiry, it unearthed little more knowledge of the truth of facts and events pertaining to the periods under inquiry, than that which was already known. But what is important is that the Commission considered all of this information, old and new correlatively, and reached its conclusions in accordance with its own deliberate and independent judgment.

Several factors militated against this search for truth, including:

- (1) The wide gap of time between the happening of these events, causing memories to fade, some people who knew some of the truth to have died or emigrated, and evidence to be lost or suppressed;
- (2) Failure of some persons who know the truth, to come forward for fear of repercussion on victimisation;

- (3) Lack of provision for amnesty, witness protection or undertakings not to prosecute persons who gave evidence or information
- (4) Many persons have long purged those sordid portions of history from their minds and do not want to revisit them
- (5) Many persons who have already reconciled their differences and grievances and do not want to hear anything more about what has already been done.

But it is important to recognise and to understand that even if new truth has not been discovered to supplement the old truth that is already known, the perceptions relating to this given quantum of knowledge/information must be seen to differ fundamentally.

For whereas in the past much of the known truth was used or intended to be used for condemnation and blame casting, the truth, uncovered or examined by the TRC, is to be examined and applied for the purpose of encouraging a process of healing and reconciliation. It is a call to all concerned, to see the truth in a new light and for a new and different purpose – a positive purpose.

In the context of the Commission's work and of the life of the Grenadian people, Truth and Reconciliation are concomitant virtues. They must co-exist to reinforce each other. We wish to urge, of course, that reconciliation would take place more easily when the truth is told and known, and when, however painful, it is accepted by both the aggrieved and their perceived wrongdoers.

It is this vital element of mutuality which needs to be present if the process of healing and reconciliation is expected to be effectively conducted and successfully achieved; a willingness of those persons who have suffered, to find it in their hearts to receive tangible expressions of contrition honestly and sincerely given by those who have done wrong to them or caused them to become aggrieved. Reconciliation is not a casual option; it is an indispensable ingredient for the continued enjoyment of a peaceful and happy life in a stable Grenadian society.

While there have been some negative aspects encountered in course of the work of the Commission, identified in our Report as Obstacles to the functioning of the Commission, (See Volume 1 Part 7), we prefer to think that the positive achievements of our inquiry are sufficiently manifest to make it seen that our appointment was worthwhile and endeavour.

Profile of Commissioners

Hon. Donald Trotman – Chairman of the Truth and Reconciliation Commission - Chairperson of the Guyana National Commission for the Elderly. Specialist Consultant on Human Rights Law, International Law and Conflict Resolution. President of the United Nations Association of Guyana and Chairman of the Peace and Fundamental Rights Committee. Member of the Bar of Guyana, the Virgin Islands; Grenada, Jamaica, England and Wales.

His former engagements include:

Judge of the Supreme Court of Guyana and additional Judge of the Court of Appeal Guyana. Attorney General, Chairman of the Law Revision Commission and acting Governor in the British Virgin Islands. Solicitor General and Director of Public Prosecution of St. Vincent and the Grenadines. Coordinator for Inter-American Commission Human Rights Conferences in Jamaica, Grenada and the Carter Center USA, Executive Director and President of the Caribbean Institute for Human Rights; Legal Counsel for Caribbean Media Petitioners' to the Inter-American Commission on Human Rights. Senior Tutor and Deputy Director of the Caribbean Council of Legal Education. Specialist Member, Constitution Review Committee Guyana. President of the Inns of Court Union. Chairman of the Human Rights Section and member of the Panel of Expert of the World Peace through Law Center, USA; United Nations Human Rights Fellow. Carnegie Endowment for Peace Fellow at the Hague Center for International Law and International Relations Guyana delegate at the United Nations and other diplomatic Missions. Coordinator of the Lawyers campaign against torture and African Affairs for Amnesty International (UK). Human Rights Rapporteur for the UN and other International Organisations in Nigeria, Canada, Nicaragua and Grenada. Visiting Professor of International Law at the University of Baghdad and the Centre for Arab Gulf Studies in Iraq and Kuwait. Research attachments to the UN Human Rights Division and the Europe Commission for Human Rights.

The Rt. Rev. Bishop Sehon Goodridge – Anglican Bishop – Diocese of the Windward Islands. Former teacher at GBSS. Chaplain at UWI, Mona Campus. Principal of Theological Seminary Codrington College, Barbados. Warden Student Counsellor, UWI Cave Hill, Barbados. Principal of Cyrene Theological Institution, London.

The Rev'd Fr. Mark Haynes – OBE Grenadian, local Roman Catholic Priest. Presently, Cathedral Administrator, St. George's.

Profile of Secretaries to the Truth and Reconciliation Commission

Ms. Claudette Joseph - Former Secretary to the Commission, LL.B Attorney at Law, former Deputy Registrar of the Supreme Court and former in-house lawyer with Legal Aid and Counselling Clinic.

Mrs. Eleanor Glasgow, B.A. Former Secretary to the Commission.

Ms. Annette Henry - Present Secretary to the Commission, LL.B Attorney at Law, Crown Counsel, Ministry of Legal Affairs, Grenada.

PART 1

Section 1:

LEGISLATION GOVERNING THE APPOINTMENT OF THE TRUTH AND RECONCILIATION COMMISSION

The Truth and Reconciliation Commission of Grenada comprising three Commissioners and a Secretary, was appointed on the 4th September 2001, by His Excellency the Governor-General of Grenada, Sir Daniel Charles Williams GCMG in exercise of powers vested in him by Section 2 of the Commissions of Inquiry Act, Chapter 58 of the Revised Laws of Grenada 1990, and acting in accordance with the advice of the Cabinet of Grenada.

Section 2 of the Commissions of Inquiry Act provides that -

"It shall be lawful for the Governor-General, whenever he shall deem it advisable, to issue a Commission, appointing one or more Commissioners, and authorizing the Commissioners, or any quorum of them therein mentioned, to inquire into the conduct or management of any department of the public service, or of any public or local institution or the conduct of any public officer or of any parish or district of Grenada, or into any matter of which an inquiry would, in the opinion of the Governor-General, be for the public welfare. Each such Commission shall specify the subject of inquiry and may, in the discretion of the Governor-General, if there is more than one Commissioner, direct which Commissioner shall be chairman, and direct where and when the inquiry shall be made and the report thereof rendered, and prescribe how the Commission shall be executed, and may direct whether the inquiry shall or shall not be held in public. In the absence of a direction to the contrary, the inquiry shall be held in public, but the Commissioners shall nevertheless be entitled to exclude any particular person or persons for the preservation of order, for the due conduct of the inquiry, or for any other reason."

Some other important provisions of the Commissions of Inquiry Act -

- (a) require the Commissioners to make a full, faithful and impartial inquiry into the matter specified in the Commission; to report the result of the inquiry to the Governor-General: (Section 7);
- (b) allow the Commission to make rules for its own guidance and for the conduct and management of the proceedings before it. (Section 9);
- (c) protect the Commissioners from arrest or suit for anything done while acting as such (Section 10);
- (d) empower the Commissioners to summon and examine witnesses and call for the production of documents;
- (e) make it obligatory upon pain of penalty, for all persons summoned to attend and give evidence or produce documents before the Commission to obey the summons and to have their expenses paid for so attending (Section 11);
- (f) provide, upon pain of penalty, against persons willfully giving false evidence before the Commission and producing false documents with intent to deceive the Commission (Section 12);
- (g) allow persons appearing before the Commission to be represented by legal counsel who may, so far as the Commission thinks proper, appear and ask questions concerning matters relevant to the inquiry (Section 18 and 19).

It should be noted even though not expressly so provided by the Act, that statements, letters, memoranda and similar written information submitted to the Commission without the appearance of the persons who submit them would be expected to be governed by the foregoing sanctions and privileges mutatis mutandis.

The constituent nature of the inquiry as envisaged by the Act, being inquisitorial and not adversarial, there could be no right of cross-examination and it is for the Commission to grant leave, if it so considers, for cross-examination to be conducted by anyone else.

It should also be noted that section 11 of the Act provides that no person giving evidence before the Commission shall be compellable to criminate himself and that such person enjoys entitlement to the same privileges as those of a witness giving evidence before the High Court.

The Commission was itself aware and was careful to remind persons appearing before it at oral hearings and at public outreach meetings, that the Commission was not a Court of law and was not constituted or empowered to find anyone guilty of any criminal offence or to condemn anyone for any act disclosed as done while giving evidence at oral hearings or speaking at public meetings held in the communities in which such meetings were convened.

Accordingly, the nature, scope and purpose of the Commission's inquiry within the ambit of its terms of reference and as authorized by the Commissions of Inquiry Act were not binding or judgmental in the legal sense, but instead enabled the Commission to lawfully act as a fact finding and advisory body. Albeit with specified coercive powers relating to the appearance of witnesses and the production of documents.

Section 2:

MANDATE AND TERMS OF REFERENCE

Pursuant to its mandate in accordance with its Terms of Reference, the Commission proceeded to enquire into political events which occurred in Grenada during the period 1976 to 1991 with particular reference to events leading up to and including those of 13th March 1979; certain shooting deaths during March to December 1983; events leading up to and including those of 19th October 1983 when various persons including Prime Minister Bishop and other Ministers of Government died and their bodies have not been since found; and foreign intervention by armed forces of the United States and the Caribbean.

(A full text of the Terms of Reference of the Commission is included in this report in Volume 2, Appendix A).

Section 3:

METHODOLOGY AND FUNCTIONING OF THE COMMISSION

Since the main objectives of the inquiry were to seek to uncover the truth behind the aforementioned events and to provide the nation with a proper and comprehensive understanding of them and with the opportunity to become permanently reconciled and permanently healed, the Commission devised a plan of action that would enable it to garner evidence, ideas and opinions from as many persons as possible so that its findings and recommendations could be adequately informed, beneficially implemented and generally accepted.

Accordingly, the Commission:

- Held public sittings and heard oral evidence from individuals and representative groups/organisations at its Scott Street Secretariat in St. George, such evidence being given on oath or by affirmation.

- Received and examined memoranda and letters from individuals and organizations submitted on their own initiative or by written invitation from the Commission.
- Met and held public discussions with residents of several parishes in Grenada and Carriacou in organized outreach programmes.
- Enlisted the services of a Public Relations Officer and 2 Field Officers to promote the aims and objectives of the TRC; arranged public awareness and sensitization programmes; and notified and informed the public of events planned by the Commission.
- Gave interviews to the public media on the work and progress of the Commission; and invited comments and questions from the listening public.
- Paid goodwill visits and courtesy calls to some eminent persons whom the Commission considered could give helpful information and advice on matters concerning its work.
- Visited and held conversations with family members of victims of persons who died as a result of the violent events between 1976 and 1983.
- Designed and circulated in many parishes and districts a questionnaire soliciting relevant answers and opinions.
- Examined relevant reports of previous inquiries, studies and publications on events occurring in Grenada during 1976 to 1991; and legal documents and statutes.
- Issued press releases.

Consequently many public sittings were held at which oral evidence was heard from approximately seventy persons; and several letters and memoranda were received (**see Volume 2, Appendix B & Volume 3 Appendix A**). Public discussions within the outreach programmes took place in several venues (**See Volume 2 Appendix D**). Several interviews were given by Commission members to the public media. Courtesy Calls were paid and conversations held with several persons, including some of the families of some of the victims of the tragedy on Fort Rupert, on October 19, 1983.

The Questionnaire (See Volume 2 Appendix E) which was widely circulated, provided responses from several persons and an analysis and summary of the answers obtained by this questionnaire appears in (Volume 2 Appendix E).

Among the reports and other documents examined were the Duffus Report (1975), the Report of the Claims Commission (1988); the Trotman/Friday Survey (1984); the Constitution of Grenada (1973). A full list of these documents and materials are included in this Report in (Volume 2 Appendix R).

Part 2:

SUMMARY OF PERIODS UNDER REVIEW

- Pre-Revolutionary Period
- Revolutionary Period
- Post Revolutionary Period

Section 1.

Pre-Revolutionary Period 1976-1979

The years preceding 1979 have seen several situations of social unrest and political conflict in Grenada. This disruption of the nation's life and stability stemmed mainly from the autocratic style of the then Prime Minister Eric Gairy and repressive practices of his Government, the Grenada United Labour Party (GULP). During those years, and notably in the period 1973-1976, there had been several demonstrations, strikes and public meetings organised by civil groups and trade unions to protest against these practices by the Government and its agents. Many of these demonstrations had been forcefully broken up by the armed forces and the police. A tragic climax was reached in 1974 when a public meeting and demonstration held in St. George's was brutally routed by the police and members of the infamous Mongoose gang. Several persons were killed, including Rupert Bishop, the father of Maurice Bishop who was later to assume leadership of the New Jewel Movement which staged a coup and overthrew of the Gairy Government in 1979.

In the same year 1974, Maurice Bishop himself and several leading members of the New Jewel Movement were brutally beaten and severely injured allegedly by thugs accountable to Gairy.

The ironic phenomenon of these events was that they occurred within barely one year of Grenada becoming an independent State with a new Constitution (1973) which contained comprehensive provisions for the protection and enforcement of the human rights and fundamental freedoms of Grenadian citizens.

But some positive aspects of the ensuing developments following the events of the 1973 Constitution which came into operation on February 1974, were:

- The political awakening of new political groupings and parties including the New Jewel Movement, the movement for the Assembly of People (M.A.P) led by Maurice Bishop, the Grenada National Party, the United People's Party and the Communist oriented OREL under leadership of Bernard Coard.
- The formation of a coalition of groups and political parties in 1976 under the name of the People's Alliance, especially created to challenge Gairy and his GULP in general elections. This coalition won 6 of the 15 seats in the House of Representatives.
- The appointment (in December 1973) and hearing by the Duffus Commission during 1973 and 1974 to inquire into circumstances leading up to persons arrested and charged on 18 November, 1973; alleged police brutality of citizens, the breakdown of law and order in Grenada, breaches of the Constitution and matters concerning the administration of justice in Grenada.

There is much reason to believe that the appointment, hearings, findings and recommendations of the Duffus Commission helped to put some brakes on the progress of Government-activated-and-authorised atrocities; and indirectly weakened or softened the Gairy power machine; thereby allowing fuel to feed the fires of the Revolution which were to consume the Gairy regime in 1979.

The rule of the Gairy regime was the predominant bedeviling factor which dictated the national and political life in the 1973-1979 period and paved the way for the dramatic overthrow of Gairy and the succession to power and Government of the Maurice Bishop People's Revolutionary Government on March 13, 1979.

Section 2.

Revolutionary Period 1979-1983

The overthrow of the Gairy regime on March 13, 1979 and the cataclysmic events that followed, engendered a socio-political eruption of volcanic intensity and consequences. Never before, or since, in the life of the Grenadian people was there anything so shattering of the national and political structure of Grenada.

From then to the demise of the Revolution in October 1983, the whole fabric of Grenadian society was to be shredded and to undergo an almost total reweaving.

The 1973 Constitution was suspended, to be replaced by governing provisions of a series of People's Laws; the precursor of things to come being People's Law No. 1 which declared the 1973 Constitution suspended and declared all acts and deeds by or under the authority of the People's Revolutionary Government to have been legally done and not to be called into question in any Court of Law or otherwise.

It is as though by one fell stroke the complete root and tree of the Gairy regime had been eradicated from the Grenadian ground. It was a time of liberation from almost 3 decades of sustained political repression and the culmination of nearly ten years of political struggle by the organising forces of the New Jewel Movement with the assistance of like-minded friends and sympathisers, some local, regional and others international.

But the ensuing period after 1979 was to introduce a complex pattern of good and evil; an uprooting of the old evil order; and its declared substitution by a new dispensation of a People's Democracy. A dispensation that would soon become discernable as a desecration of democracy.

During 1979 and 1980 groups of persons opposed to the Revolutionary regime who held or attempted to hold public meetings, were almost invariably routed by PRG supporters or agents, leaving meetings organised by the NJM and PRG to have a monopoly of freedom of assembly.

It is sadly significant that during the 1979-1983 period the professional Associations such as the Law Society and the Medical Practitioners Association were dormant or dumb. Not a sound was heard from the Law Society, for instance, in protest against the arbitrary detentions of

two members of the legal profession or against the injustices and violations of human rights and the rule of law committed by the PRG.

It was only in November 1983, when all was safe and secure, that the lawyers broke the spell of silence which had bridled them in the preceding years, by boldly adopting a resolution expressing profound gratitude to President Reagan and Prime Ministers Seaga, Adams, Charles and Compton for the parts they played in the rescue mission to liberate Grenada from four and a half years of communist tyranny. It may be said by some, that the people of Grenada could always depend upon their lawyers to save them from the jaws of grave danger after other saviours have already done so.

There was harassment of trade unions. Churches, while generally allowed freedom of worship, came under continued scrutiny for any evidence which could manifest a threat to the Revolution; and the Church was singled out by the Revolutionary ideologues as the most potential source of counter-revolution. A protest by four main denominations (Methodist, Anglican, Adventist and Catholics) against arbitrary detention of political dissidents and the PRG's failure to hold elections, was a mark of militant credit in the Church's favour. Rastafarians, who during the Gairy regime had been harassed, had initially linked themselves to the PRG; but as the revolution grew older the Rastafarians became prime target for similar assaults and harassment.

The Marxist-Leninist ideology which controlled the thinking and stimulated the policies and actions of the PRG ushered into Grenada doctrines of governance based on the dictatorship of the rule of the working people, the full implications of which were adumbrated in the famous "Line of March" speech by Maurice Bishop given to the Party faithful on 13 September, 1982.

Freedom of expression was stifled and the opportunity for expression of the will of the people at fair and free elections denied. Meanwhile, the numbers of detainees without trial were rapidly increasing. The courts and judicial functionaries appeared to have forgotten their legal learning and the system of justice in which they had been nurtured. Did the Governor-General seem somewhat oblivious to these concerns, including the plight of his people and his country, save and except those which related to his duty to Her Majesty the Queen, who had been pleased to graciously bestow upon him the excellence of his appointed status of being her representative during Her Majesty's pleasure?

It is true to say in fairness and for balance, that some good things happened during the Revolutionary period. Youths were given

opportunities for education and employment; cooperatives were encouraged and established; agriculture and small industries developed; health care, social development programmes were fostered; an International Airport was built, National Insurance was introduced for providing a system of social security.

But when all is weighed in the balance, the goodness of the revolutionary gains is found wanting. By June 1982 the cookie was clearly crumbling. Socialist fervour among the initially enthused and indoctrinated began to cool and the Revolutionary experiment gradually began to go against the inherent democratic grain of the Grenadian people; the organisation of the Revolutionary administration was disintegrating and unemployment was on the increase. Jacqueline Cref, one of the most committed and able Revolutionary comrades and among its foremost leaders, resigned from the Party; so too did Bernard Coard, its deputy leader. Communication was breaking down between the home Government and its agents and representatives abroad; and the mills of Party and Government functioning were grinding to a halt or not in rhythm to the beat of the political and the central committee of the ruling party.

By October 1983 ideological and personal conflicts among the leadership had developed; the armed forces of the PRA were demoralised and in disarray; the Party no longer enjoyed the undivided loyalty of the masses; and it seemed that supporters and non-supporters alike were becoming resentful of the increasing presence and interference of the Cubans in Grenada's domestic affairs; and there appeared to be growing evidence or apprehension that the Bernard Coard faction was plotting to remove and overthrow Maurice Bishop, the maximum leader. It saw Bishop as a weak leader, a moderate socialist, who was disposed to play the game with both Cuba and the U.S.A. Moreover, it resented his failure to comply with its request for joint leadership of the Party and Government. Consequently Bishop was placed under house arrest, later freed by some of his supporters whom he led to the Fort Rupert where he and some of his ministerial colleagues were executed.

The Detainees

Among the first laws proclaimed by the People's Revolutionary Government after their coming to power in March 1979, were People's Law No. 8 of 1979; and People's Law No. 17 of 1979 proclaimed by Prime Minister Bishop on March 28, 1979 and April 12, 1979 respectively. These laws provided for the establishment of a Preventive Detention Tribunal to review cases of any person detained, who "has taken or has threatened to take or is reasonably suspected to take action of such nature or on such a scale as is likely to endanger the public safety or public order or to subvert or otherwise sabotage the People's Revolutionary Government or to deprive the community or any substantial portion thereof of supplies of services essential to life-----"

On April 18, 1979, by People's Law No. 23 of 1979, a three member Detention Tribunal was appointed comprising Adolf Bierzynski, a Polish doctor living and practising in Grenada, Bryce Woodruffe, a businessman and uncle of the wife of Winston Whyte, one of the prominent detainees, and Alice Mc Intyre, former wife of the eminent Caribbean economist and diplomat.

Under the façade of this false legality, it is estimated that approximately 3000 persons were arbitrarily detained and held without trial for the whole or a part of the four and a half years of the PRG's regime. These could be categorised broadly as businessmen and professional persons; trade unionists; journalists; prominent Gairy supporters; Rastafarians; all other persons who were known or suspected of being opposed to the policies and ideology of the PRG.

It is significant to notice that the Detention Tribunal met infrequently; that the Tribunal recommended the release of some 22 detainees but such recommendations were rejected; that the recommendations of the Tribunal were only advisory and not mandatory; that public hearings of the Tribunal were prohibited by People's Law No. 21 of 1979; and that after December 1980, the Tribunal ceased to hear any cases.

The years of the Revolution were to provide an identifiably new phenomenon in the life of the Grenadian people - the organised, and systematic rounding up of dissidents and suspects and securing their detention in camps and centres specially built or adapted for that purpose, as well as providing for their arbitrary detention in the Richmond Hill prison where persons convicted of tried offences in the Courts were regularly incarcerated.

The Commission was able to hear some of these former detainees in evidence, to hold discussions with others and to examine documents relating to the detention phenomenon. These three different kinds of opportunity to obtain information allowed the Commission to gain reasonably good insight into the detention process and situation of the period.

Without disregard for the many others who played commendable parts during the same period, it has to be said that the detainees, as an identifiable grouping, must rank high in the esteem of right-thinking persons, and deserve not just special mention, but honourable mention. They need to be collectively reckoned among the heroes of their generation: for the wrongs and injuries done to them; for the oppressive punishments they sustained with fortitude to the point of release and survival; and for the quality of that remarkable residue of spirit and character which still remains in some of them to let them want to forgive those who robbed them of their dignity and freedom and of the enjoyment of a precious portion of their life and liberty.

The Detainees and their Violators: Forgiveness and Reconciliation

It has to be particularly noted that one detainee who testified before the Commission, and who could be considered as expressing a representative view of some of the identifiable group of 3112 detainees, was moved to say of "the 17", "I just want to deal with the whole question of reconciliation and my position as regards the court. I have here a letter from Ewart Layne and I am one who like to see them out of prison." He felt that they "the 17", should have their day in the Privy Council: "I for one would be satisfied and after that we can say how the Government can use its discretion if it wants to pardon or not but until we allow them the facility that all other Grenadians enjoy in appealing their case to the Privy Council, we cannot say that justice was done".

The letter from Ewart Layne to which he referred, seems to coincide with a statement to the media attributed to Ewart Layne, one of "the 17", issued in September 1999, as a publication in the Grenadian Voice newspaper of February 8, 1997 captioned "Reflections and Apologies to all Detainees of the PRG from: some former leader of the NJM; and another document named "Apologies to the families of the victims of the October 1983 crisis and to the Grenadian People", issued in 1999 and signed by Bernard Coard, on behalf of the imprisoned former NJM and PRG leaders known as "the Grenada 17".

In one form or another, in the same or similar words, all these three documents purporting to come from "the 17" accepted responsibility for what happened on October 19, 1983; recognised the unjust suffering

caused to the political detainees during the 4 ½ years of the Revolution and to their families and expressed regrets and apologies to them "as a minimal form of atonement." Another ex-detainee, a prominent and respected publisher, told two members of the Commission who interviewed him that he was prepared to be reconciled with those who were responsible for detaining him and felt that the reconciliation process would be helped if "the 17" were allowed to have recourse to a rehearing of their trial or an appeal to the Privy Council.

If free flow of these streams of mutual feeling between "the 17" and the detainees were fostered and sustained and allowed to embrace their families and the families of other victims of the Revolution, then there could be much hope for a productive outcome of the process of healing and reconciliation which the work of this Commission is intended to encourage.

Section 3.

Post-Revolutionary Period 1983-1991

After the tragic demise of the Revolution of 1979, and the People's Revolutionary Government in 1983, Grenada returned to a certain measure of democratic constitutionality, and political and social stability. There was the restoration of political democracy and a return to parliament democracy.

The four and a half years of Revolutionary Government in Grenada, which was essentially characterised by the experiment in Marxist-Leninist ideologies and philosophy, was a period good and evil. The P.R.G., the Government of that period 1979-1983, initiated and implemented some good policies politically, socially, economically, and otherwise. For example, the National Insurance Scheme (N.I.S.), the continuing adult education programme (CPE). The agro-industries enterprise, the national transport service (NTS), free secondary and tertiary education. Equal pay for equal work for all women. The maternity leave law. The full involvement of women in production, and greater participation of people in the political and economic affairs of the country. For these and many other policies the P.R.G must be commended.

In the beginning the Revolution was welcomed, and was in fact very popular with many, if not the majority of Grenadians – both at home and abroad, especially because of the crude, dictatorial, and often brutal methods of the Gairy regime. However, and notwithstanding the fact of its initial popularity, both the P.R.G and the P.R.A (the military arm of the P.R.G) eventually lost popularity and credibility among many Grenadians because of the brutality of the methods of some elements of the P.R.A and P.R.G.

Undoubtedly, there were some good, honest people both in the P.R.G and P.R.A. However, somewhere along the way things got out of hand. Some said and did many things that were not truly reflective of the Revolution. Many also took the law into their hands and terrorised and brutalised many, especially those whom they perceived as not supportive of the Revolution. These and many other negative factors contributed to the eventual demise of the Revolution in 1983.

However, between the end of October 1983 to December 1991 some notable events took place. Among them were: On October 25th 1983 the

joint U.S.A./Caribbean forces intervened in Grenada which helped to bring some form of stability to the society. Shortly thereafter an Interim Government was appointed by the then Governor-General Sir Paul Scoon under the leadership of Mr. Nicholas Braithwaite. This was the beginning of the return of political and social sanity to the country.

In 1984 there was general elections when the N.N.P. came into power under the Leadership of the late H.A. Blaize, winning fourteen (14) seats, and the G.U.L.P. winning one (1) seat.

In 1985 Queen Elizabeth II visited Grenada and opened a session of Parliament.

Also in 1985, a committee under the chairmanship of Sir Fred Phillips was appointed to review the Grenada Constitution.

The trial of the former Leaders of the PRG and the PRA began on the 6th December 1986. They were sentenced to death by hanging after their trial by the High Court of Grenada, which began in April 1986.

Also in 1986, the late President Ronald Reagan visited Grenada and met with all Caricom heads of Government.

In 1989 the Caricom heads of Government held their usual meeting in Grenada. The then Prime Minister of Grenada H.A. Blaize chaired that meeting.

Prime Minister Blaize died in December 1989 and the late Mr. Ben Jones was appointed Prime Minister until the next election which took place in March 1990.

Before the 1990 elections the N.N.P. splintered into three groups. The N.D.C. came into being under the leadership of Mr. George Brizan. The T.N.P. also came into being under the leadership of the late Mr. Ben Jones. And the N.N.P. remained under the leadership of Dr. Keith Mitchell.

At the 1990 elections the N.D.C. won 7 seats. The T.N.P. won 2 seats. The N.N.P. won 2 seats and the G.U.L.P. won 4 seats. Consequently the T.N.P. party joined with the N.D.C. party to form the Government. So there was an N.D.C. - T.N.P. Government led by Mr. Nicholas Braithwaite.

The death sentence of the former Leaders of the P.R.G. and P.R.A was commuted to life imprisonment on 15th August 1991.

An important Legislative enactment in 1991 was the Constitutional Judicature (Restoration) Act No. 19 of 1991 that brought back the O.E.C.S. Court and the Privy Council and at the same time prevented any further appeal arising out of the Maurice Bishop Trial from going to the Privy Council.

What is noteworthy of observation during the period 1983-1991 was that there were no serious incidents of violence in Grenada.

Part 3:

OTHER AREAS OF EXAMINATION

Section 1

COMPENSATION

During its Inquiry several persons who testified before the Commission claimed compensation for various reasons including loss/damage to property, personal injury and wrongful dismissal from employment and wrongful detention. A list of these persons and the reasons for their claims appears in this section.

Of course, some whose claims for compensation have not been addressed or only partly dealt with, saw the Truth and Reconciliation Commission as another Claims Commission and so expected it to bring finality to that vexed question. But while this Commission listened to matters concerning claims for compensation and recognized the need for settlement, it recorded those presentations requiring attention, and indicated the nature of the claims reported for compensation.

A more comprehensive assessment of the question of compensation appears in **Part 4** and **Part 6** of this report.

The following is a list of persons who requested compensation and reasons for such request.

NAME	REASONS FOR COMPENSATION
Thelma Phillip	Broken Leg
Thomas Gilbert	Unlawful detention for 2 years 3 months - leading up to October 1983 - unpaid portion of claim.
Teddy Victor	Loss of Earnings - (farming business)
David Stanislaus	Loss of Earnings as an agricultural worker due to arrest and imprisonment.
Theresa Braveboy	Disposal of imported car while at customs - requests payment of balance.
Goldfinger Joseph	Loss of personal belonging as a result of being detained.

Reginald Phillip	Loss of animals, crops and other possession as a farmer - Requested unpaid balance on agreed sum, and wrongful dismissal.
Wilston Collins	Wrongful dismissed by PSC after working for ten years. He went before the Claims Commission but received nothing
Lester Desouza	Made claim to Claims Commission on behalf of himself and two brothers. He was partially compensated
Michael Kenneth Andrews	Claims for Compensation for loss of property.
Stafford Moore	Claims compensation for wrongful dismissal as prisons officer
Theresa Edwards	Worked as a clerk on Grenada Agricultural Farms, in Paradise St. Andrew's, from 1969 to July 14, 1979. She claims wages for dismissal from work without pay.
Simon St. Bernard	Claims payment for 5 months vacation leave due to him at time of dismissal.
Rita Bailey	Seeking compensation for her then 15 year old daughter who died in bomb blast and the procurement of a leg for the other who lost her leg.
Terrie Regis	Wrongful Detention and loss of earnings
Winston Courtney	Loss of salary during detention and gratuity thereafter
Kenny Jawahir	Salary saved in Army's Credit Union
Alexis Simon	Personal injury loss of arm on Fort Rupert on October 19 th , 1983
Ethelston P. Friday	Occupation of property at Richmond Hill by Prison Authorities
Dawne Patrice	Damage to property by PRG Soldiers and for money confiscated by them and wrongful detention
Margaret Dubisette	Shooting death of father of her children by U.S. Soldiers and injury to her daughter as a result of a bullet.
Yero Jabar	Wrongful detention and personal injuries during detention
Winston Simon	Wrongful detention, torture and serious personal injuries
Onrad Nelson	Wrongful detention and person injury

Lidj Tafari	Wrongful detention, ill-treatment during detention and loss of property
Claude Regis	Wrongful detention, wrongful dismissal as Prison Officer
Simon St. Bernard	Five months holiday pay due and owing as member of the Royal Grenada Police Force
Jeffery Marryshow	Wrongful detention
Kade Layne	Wrongful detention
Michael Kenneth Andrew	Wrongful detention and unsettled property matter
Theresa Beckles	Wrongful detention and dismissal of her husband as Prison Officer
Lester Desouza	Wrongful detention and confiscation of personal property
Stafford Moore	Wrongful dismissal as Prison Officer
Godwin Charles	Wrongful detention and loss of earnings during detention
Benedict Henry	Wrongful detention and ill-health during detention
Michael Mark	Wrongful detention and personal injuries
Floyd Bishop	Compensation for father's disappearance
Rodney Garraway	Wrongful detention
Michael Francis	Wrongful dismissal as a Prison Officer
Wilston Collins	Wrongful dismissal as a Prison Officer
Bentley Samuel	Wrongful dismissal as a Prison Officer
Samuel Bonaparte	Wrongful detention
Neville James	Personal injury on Fort Rupert during employment on October 19, 1983
Anthony Jones	Wrongful detention, torture and personal injuries
David Coomansigh	Wrongful detention and difference owing on loss of salary
Clauduis Coutain	Wrongful detention, wrongful dismissal as Police Officer, and personal injuries

Section 2:

"The Grenada 17"

Following a dramatic breakdown of relationship within the leadership of the People's Revolutionary Government, and the New Jewel Movement, the ruling political party of the Government, members of the armed forces of the Caribbean and USA intervened Grenada on October 25, 1983 and in course of conducting military operations in the island arrested 18 individuals associated with the Bernard Coard faction of the fractured PRG leadership, including Coard himself and his wife Phyllis Coard.

These 18 individuals were detained by the US and Caribbean forces and handed over to Grenadian authorities who eventually charged them on 22nd February 1984 for the murder of Prime Minister Bishop Jacqueline Creft and others and for conspiracy to murder alleged to have been committed on October 19, 1983.

These 18 were subsequently tried for the above offences in a trial that became a Regional (Caribbean) cause célèbre and a matter of international notoriety. Their conviction in 1991, commutation of their sentence (the death penalty) to life imprisonment, pursuant to appeals for clemency by local, regional and international bodies; and their incarceration thereafter, have been well known and documented; and their steadfast assertions of innocence and unfairness of their trial contrived to create waves of upheaval among the otherwise now stable Grenadian society. The Commission, for several reasons, did not meet with "the 17" even though the Commission was willing to do so, and communicated this clearly, expressly and repeatedly to "the 17" as well as to relevant Government authorities, they being the Hon. Prime Minister and Minister of National Security and the Commissioner of Prisons. "The 17" were reluctant to meet with the Commission but later relented and offered the compromise of the Commission meeting with their legal counsel, Mr. Keith Scotland, Attorney-at-Law of the Bar of Trinidad and Tobago and of Grenada.

As regards the judicial process relating to the "Grenada 17", there have been several constitutional motions on their behalf in the Courts of Grenada and in the Courts of Appeal and Privy Council to free them and to annul and declare their trial unfair and to have their convictions quashed; but none of these have so far succeeded in securing their intended objectives.

They claimed, inter alia, at various times and in several submissions at the trial, and in the motions and appeals, that the Court in which they were tried and convicted was unconstitutional; that the trial was unfair, that the Court of Appeal hearing was flawed and no written decision of it delivered; that they have been unjustly denied access to the normal legal processes available to other Grenadians, particularly as regards their being prevented accessing the Judicial committee of the Privy Council, and (the final Court of Appeal for Grenada) deprivation of their right to do so by Act 19 of 1991 which barred persons convicted before the passing of the Act from appealing to the Privy Council.

Despite their assertions to the contrary, the Commission was at all material times available to meet with "the 17" and is satisfied that the failure of the several reasonable efforts it made to do so, was not of its own making. But be that as it may, the Commission was pleased to meet with Mr. Scotland on their behalf, receive the memorandum dated 20th May 2002 which he submitted and presented to the Commission and which he ably and willingly discussed with the Commission.

The memorandum, representations and proposals of "the 17" were in the following summarised respects:

1. Their disapproval of what they conceived as disregard by the two-man committee appointed to set up a Truth and Reconciliation Commission, of their personally communicated willingness to participate in its proceedings, including giving full evidence and facing cross-examination, once it was clear that truth and reconciliation were really the objectives behind the exercise.
2. Their displeasure with not receiving any response from the TRC whose appointment emanated from the preparatory work of the two-man committee, including no response from the Commission when it was set up, requesting access to legal counsel.
3. Their understanding that the established TRC of 2000 gave them cause to think that their freedom was linked to the process of that Commission and was related to a national broadcast by Prime Minister Mitchell on January 1st, 2000 in which he said that his government would soon set up a process to allow persons imprisoned as a result of past political events to free themselves.

4. That it was intimated to them by the then Attorney General that they should not proceed to legal action against the State on the issue of their freedom because the TRC would be set up for the purpose of freeing them; while the subsequent delay in establishing the TRC constituted a device to prevent them pursuing legal action.
5. That the present TRC (appointed in 2001) was also not amenable to meet with them.
6. That while they were nevertheless prepared to fully participate "in a genuine TRC process" they preferred to pursue legal options and requested the TRC to suspend its sittings pending the current and imminent legal actions.
7. That the substantive memorandum with its attachments be included in the Commission's Final Report.

This memorandum with its attachments are included in **Volume 2** of this report.

It has to be noticed and considered for acceptance, that the Commission is not a Court of law; is not empowered or disposed to pronounce determinately on the guilt or innocence of any person within the period or during the course of its enquiry. But at the same time the Commission should be concerned with the consideration that any reconciliatory process or any efforts to promote such process, would be severely hindered if persons who are important to the involvement and evolution of this process, harbour grievances or discontent which, rightly or wrongly, they feel that such grievances or discontent are not being adequately addressed by those who manage or promote the reconciliation process.

There is no doubt that many of the atrocities and violation of human rights which the eventual leaders of the revolutionary Government condemned before coming to power in 1979, were duplicated and in some instances surpassed during the regime of the PRG after they assumed political and governmental power.

The preachers of freedom and liberation had become the practitioners of the very kinds of oppression they had previously condemned and the oppressed then became the oppressors. Torture, compulsory confiscation of property, arbitrary detention, imprisonment without trial; deprivation of freedoms of expression and association; inflicting of bodily

injury and inhuman and degrading treatment; these were similar to many of the well known abominations which characterised the Gairy regime from which the New Jewel Movement and the PRG had liberated the Grenadian people. These were some of the root causes of political turmoil during the period 1976 to 1983; and of course, it is well known, also, that the "Grenada 17" were part of the leadership elite of the New Jewel Movement or the PRG.

It is pertinent to quote at this point, the graphic observation of Bishop Tutu, Chairman of the South African Truth and Reconciliation Commission in his foreword to the South African Commission Report: "A venerable tradition holds that those who use force to overthrow or even to oppose an unjust system occupy the moral high ground over those who use force to sustain that same system... This does not mean that those who hold the moral high ground have carte blanche to the methods they use".

To free or not to free

But the "Grenada 17" are not on trial before the Commission and in any event the Commission cannot lawfully presume or does not want to embark upon any excursion into the deeds or misdeeds of the "Grenada 17". To do so would be to enter into the preserve of the judiciary and to usurp the powers of forensic functionaries.

However, the Commission cannot be disregarding and dismissive of their representations made to it in the memorandum of 20th May 2002, submitted and presented to it by legal counsel Mr. Scotland. In particular, their persuasive complaint that their guilt and conviction were determined on the basis of an unfair trial.

Legal counsel may make weighty submissions about the fairness or unfairness of a trial; learned judges may pronounce with equal gravity upon these submissions. But when all is said and done, the crucial test of a fair trial is whether the man or woman condemned at the end of the trial is satisfied that he or she has no good reason to cry foul; that justice was not only done and seen to be done, but also **felt** by him or her to have been done.

Recommendation

It is in the context of this perspective, therefore, and having regard to the need for both victims of wrong doing and the alleged wrong doers to feel satisfied that justice is done to their respective causes for reconciliation to take place, that the Commission would prefer to see the State provide an appropriate opportunity for the "Grenada 17" to access existing or established Courts within the legal system and which would studiously ensure the process of fair trial, regardless of the outcome.

Part 4:

OBSTACLES TO HEALING AND RECONCILIATION IN GRENADA AS IDENTIFIED BY THE TRUTH AND RECONCILIATION COMMISSION

Section 1:

PREAMBLE

It is very obvious that there still remain in Grenada today, some serious obstacles to reconciliation and healing among many persons both at the interpersonal and national levels.

Going back to the days of Eric Matthew Gairy up to the 1979 revolution, then to the tragic events of October 19th 1983, and the intervention of a combined U.S. and Caribbean forces on October 25th 1983, one sees that apart from the many persons who lost their lives during those periods, many more have suffered and have been wounded and scarred (some permanently) physically, emotionally, psychologically, mentally, and spiritually. Those wounds are responsible for a tremendous amount of bitterness among many Grenadians up to today.

As long as those wounds and scars remain, and continue to be part of the national psyche, then reconciliation and national healing will remain extremely difficult. However, as rational human beings, we all can forgive, reconcile, and put the past behind us no matter how difficult that might be. Nevertheless, reconciliation is not something you can force upon people. People must freely reconcile, they must want to do it.

Many persons were hurt, wounded and suffered and have remained bitter for different reasons. For some, the Gairy days were experiences of murders, victimization, fear, disappearances, and violence. For many, the coup on March 13th 1979, and the ensuing form of Government meant a period of fear, loss of loved ones, weapons in the hands of children and the inexperienced, and the loss of constitutional democracy. Still for some, the "revolutionary period" 1979 to 1983 was an experience of unlawful arrest and detention, as well as imprisonment without trial, torture, loss of limbs, loss of property and livelihood, loss of personal dignity and integrity, disappearances, and even death.

For many, the execution of the then Prime Minister Maurice Bishop and many of his Government Ministers on the 19th of October 1983, was an inexcusable, almost unforgivable act. Many are still bitter because the revolution let them down and did not continue to deliver all that it had promised. The events of October 19th 1983 have left festering wounds. An unknown number of lives was lost. There were the executions, and bodies were disposed of without proper burial.

Some are still bitter because of what many refer to as a few days of "reign of terror" by the Revolutionary Military Council (R.M.C.) when people's freedom of movement was taken away. Still, many are bitter over the intervention of the combined U.S. and Caribbean forces, which continued the cycle of violence, bloodshed, and death. Many Grenadian soldiers were killed, many families lost their loved ones. Many too are bitter over the continued incarceration of the former P.R.A. and P.R.G. leaders, (referred to as the "Grenada 17").

There is still division over the significance that the events of March 13th 1979, October 19th 1983, and October 25th 1983, have in our national calendar. There is also the issue of the renaming of the "Point Salines

International Airport" to the "Maurice Bishop International Airport". These and other issues remain sore points of bitterness and division among many Grenadians. The wounds are still there: the bitterness, the hurting individuals and families, and the many unanswered and unresolved questions. But if permanent healing and reconciliation are to become a reality among Grenadians - especially between those who have been wronged and the wrongdoers - then all Grenadians (men and women of goodwill) must come together and forgive one another, since forgiveness is good for those who forgive, and for those who are forgiven. We must put the past behind us, reach out across the dark waters of pain and hurt, and break down the barriers of division, bitterness, hatred and unforgiveness.

True reconciliation means, among other things, accepting the fact that I have done something wrong, or something wrong has been done to me, and having the heart and desire not just to say sorry, but also to show in tangible ways the genuineness of my words and the acceptance of forgiveness. In other words there must be reciprocity between those who have done wrong and those who have been wronged.

Grenada will not truly move forward without this healing and reconciliation. In some sense, the heart of the nation is still bleeding. So in Grenada, Carriacou and Petit Martinique, it is not a question of whether or not we need reconciliation, we must be reconciled.

For true reconciliation to take place there must be admission of guilt and sorrow on the part of the wrong doers and forgiveness on the part of the victims. True Reconciliation therefore involves accepting responsibility for my actions and the consequences of my actions on the one hand, and the willingness to forgive on the other.

Many people have asked, "Do we need to worry about reconciliation in Grenada after all these years?" Wounds are sometimes very easy to inflict, but take a long time to heal. So given the present reality in Grenada of much hatred, division, bitterness, hurt, and resentment among many, reconciliation is not an option, but a must.

Grenada has a history to remember, but also a history to forget. And, even though much of the truth of Grenada's recent history remains unknown, healing and reconciliation are still a possibility. Bridges can be built from what is known. Every Grenadian therefore, should play his/her part in this endeavour. There should not be any conscientious objectors, all should join in the process of trying to bring permanent healing and reconciliation to the nation. Grenadians deserve no less.

Insofar as the present reality in Grenada demands healing and reconciliation, the Truth and Reconciliation Commission has identified some areas and issues of national life that remain obstacles to healing and reconciliation. Here are some examples presented under **nine (9)** headings beginning with **Section 2**, each with its own recommendation.

Section 2:

THE CONTINUED ABSENCE OF THE REMAINS OF THOSE WHO WERE EXECUTED ON FORT RUPERT ON OCTOBER 19TH 1983.

The general trend among the majority of persons with whom the Commission interacted, for example:

- Those who came to give evidence and testimony before the T.R.C.;

- Those who attended the public outreach/public hearings of the Commission in different parts of the island;
- Those who sent in memoranda and letters;
- Loved ones and close relatives of those who were killed in the tragedy on Fort Rupert on October 19th 1983, as well as the relatives and loved ones of those who died as a result of the tragedy of October 19th 1983 whom the members of the T.R.C. visited;
- Some prominent citizens who were politically involved in the past, and on whom the members of the T.R.C. paid courtesy calls. Although they would have like to do so, unfortunately, the Commissioners were unable to meet with any relatives of the former P.R.G. and P.R.A. officials who are presently incarcerated at the Richmond Hill Prison.

The majority of those people maintained that until and unless the remains of those who died on the Fort on October 19th 1983 are retrieved and given to their families for burial, then this continued absence of their remains will remain a serious obstacle to national healing and reconciliation in Grenada. In fact, many see this as one of the most serious obstacles to healing and reconciliation in Grenada today.

For example, in the words of Mrs. Alimenta Bishop - mother of the late Maurice Bishop whom the Commissioners visited on August 31st 2002: "I have asked time and time again about the body of Maurice, but no one has told me. Even now, I would like to have my son's body to bury it. How can I console myself without my son's body?"

According to Maurice Bishop's sister - Miss Ann Bishop, "There are people who know, who are not talking".

Mrs. Bishop continued: "My pain will be eased if I know what they did to my son, his body - where is it? Some have asked me if it would help if they named the Airport after Maurice. I said, what would help is to have my son's body". One can surely hear and appreciate the pain and anguish of this mother, and there are many such mothers in Grenada today.

Echoing similar sentiment, was another anguished mother - Miss Gertrude Isaac, mother of Fitzroy Bain, whom the members of the T.R.C. visited on August 27th 2002. After expressing much pain and anguish, she said: "If I only got the body to bury".

RECOMMENDATION:

The T.R.C. therefore recommends that those in authority should persistently make serious public appeals, and take some seriously relevant actions nationally, regionally, and internationally to ascertain from those who may know where those remains are, or what may have happened to them, with the hope that such persons may - even anonymously - divulge what they know. The families of the missing have a right to the remains of their loved ones.

Section 3:

NON-COMPENSATION AND LACK OF ADEQUATE

COMPENSATION:

Based on evidence given by most of the persons who appeared before the T.R.C. and some of the persons whom the Commissioners visited, one of the overwhelming concerns and requests was compensation. Many of

those who gave evidence regarding their experiences during the periods under review, remained grieved and bitter over the fact that they were either not compensated at all, or not adequately or justly so.

Some of them made reference to the fact that persons were substantially compensated, while they and many others were not treated justly. We are talking here of persons who were unlawfully detained, physically tortured, beaten up, lost limbs, lost property and livelihood, lost loved ones, and in some instances, their family bread-winner.

For example, when the members of the T.R.C. visited Miss Gertrude Isaac - mother of Fitzroy Bain on the 27th August 2002, these are some of the things she said to the Commissioners: "No one from the Church or Government ever visited me ... When I got the full news that they had killed Fitzroy, I bawled and cried and had a breakdown. I went to the American Embassy, but they told me that it is the Government people that killed Fitzroy, not them. I went to Mr. Braithwaite. I went to Government many times. I went to Mr. Joslyn Whiteman many times at his office. He kept telling me to "come back", "come back". But they all kept bluffing me. Mr. Whiteman gave me forms to fill, but nothing presently. I get \$100.00 poor relief, but I have to pay bills, light bills, etc. I have nothing. I went to the Prime Minister twice in Happy Hill. He told me to give him my phone number, but he has never called me. Fitzroy had a small insurance. We got death certificate from Dr. Jensen Otway. Fitzroy was the only breadwinner in the home".

According to Miss Isaac's other son - Martin Isaac, brother of the executed Fitzroy Bain: "If Fitzroy was alive, my mother would not be in the condition she is in ... Some monetary contribution will help to fix her house. Presently, mom is not living in her house; it is not good for living. She is living in family house presently". Miss Gertrude Isaac made a final plea: "Do something to make me feel happy".

Those who were picked up and thrown into prison to languish for months and years without charge or trial, those who suffered grievous bodily harm, those who lost livelihood, personal properties and possessions, these and some of similar cases need to be revisited in order that justice may be meted out to those persons.

From all this, it is evident that the question of compensation remains another serious obstacle to healing and reconciliation in Grenada, since many are still bitter because they were either not compensated or, not adequately so.

RECOMMENDATION:

The T.R.C. recommends that the relevant authorities should revisit this question of compensation and find some ways of compensating those persons who suffered serious physical disability; those who have lost arms and limbs, and can no longer work for a livelihood; those who lost their breadwinners; those who lost substantial property or personal possessions during the period under review and were not in any way compensated. Monetary compensation may not be possible for everyone, but some form of reparation could be considered in order give satisfaction and to restore some form of dignity to the victims and families of those who suffered or died.

Section 4:

MONUMENTS, MEMORIALS, AND DATES FOR PUBLIC HOLIDAYS

Another area identified by the Commission as an obstacle to healing and reconciliation in Grenada is the question of dates for national commemoration and/or Remembrance Day and public holiday. Many persons are still at odds and are divided over the following questions:

1. Should March 13th be commemorated in any way?
2. Should there be a national commemoration of the death of Maurice Bishop and others who died on the Fort on October 19th 1983?
3. Should October 19th be a national holiday?
4. Should October 25th - the day that the combined U.S./Caribbean forces intervened in Grenada continue to be a national holiday?

These questions need to be resolved in some way, in order to foster reconciliation in the land.

RECOMMENDATIONS:

The T.R.C. recommends that the authorities may consider the following:

- (a) Getting some form of national consensus on the questions mentioned above.
- (b) Building a monument (somewhere in St. George's) in memory of those who were executed on Fort Rupert or those who died, as a result of being shot there or otherwise on October 19th 1983. Inscribe their names on it.
- (c) Building tombstones, in St. George's cemetery over the graves of those Grenadians who died fighting during and as a result of the intervention and whose bodies were returned from Cuba. Inscribe their names on it.
- (d) The authorities should try as hard as possible to find the remains of those who were executed on Fort Rupert on October 19th 1983; and as far as possible, identify all others who died there, or as a result of the tragedy. If the remains of those who were executed on Fort Rupert on 19th October 1983 are found they must be put to rest with a proper funeral and burial. There could also be a day set aside when people throughout the island who lost loved ones during or as a result of the tragedy of October 1983 can mourn the lost of their loved ones.

Section 5:

THE CONTINUED INCARCERATION OF THE FORMER LEADERS OF THE P.R.G. AND THE P.R.A. (ALSO KNOWN AS THE GRENADA 17)

Based on information gathered from many different sources, the continued incarceration of the "Grenada 17" continues to be a major cause of division among Grenadians, as well as a barrier to reconciliation.

There continues to be a lot of controversy however, surrounding the issue of the "Grenada 17", especially the circumstances surrounding their trial and appeal. While some maintain that they should remain imprisoned, many others maintain that they should be freed if there is to

be genuine healing and reconciliation in the nation. The Commission recognizes that the ultimate fate of the "Grenada 17" is a matter for the Court and the Legal system, since the main objective of the Truth and Reconciliation Commission is to deal with the healing and reconciliation process. The T.R.C. was not set up to be a Court of Law or to find anyone guilty or innocent for that matter. Its Terms of Reference clearly states its objectives (see volume 2 Appendix A) of this report.

RECOMMENDATION:

The T.R.C. recommends, however, that as far as it is possible and in the interest of national healing and reconciliation, arrangements could be made, and proper security structures be put in place so that the families of those who died on the Fort, or as a result of that tragedy, as well as living victims of the P.R.G. regime, can confront the "Grenada 17" in an open hearing.

Such a meeting, if it were to take place, will be a difficult and painful experience for many on both sides. However, such face-to-face encounter can be cathartic. Family members of those who were executed, as well as living victims of the P.R.G. regime should have an opportunity to meet face-to-face with those who allegedly executed their loved ones, tortured and brutalized others, and ask them questions about the tragedy. It is their right to know exactly what happened and why, and they should not be denied such an opportunity. The truth did not die with those who died. A lot of truth remains alive with many of the living. The truth must be known.

Section 6

SOCIO-POLITICAL OBSTACLE

Another obstacle to reconciliation in Grenada as identified by the T.R.C. is what may be called the "socio-political obstacle". The Government and others in authority, for example, those with political and legal authority; Churches and religious leaders, business leaders, and non-Governmental organizations, etc. should help to create a conducive climate for healing and reconciliation in the country.

Politicians and others should avoid making statements and engaging in negative activities that are contrary to reconciliation. The Commission is aware of the fact that some politicians and others in authority, and even some ordinary citizens have made statements and engaged in activities that do not serve the interest of national healing and reconciliation.

Most importantly, however, the present political climate must be such that would foster and support healing and reconciliation. The Commission is also aware that many have questioned the motive of those who established the Truth and Reconciliation Commission. The Commission would like to make it quite clear that it knows of no sinister motive in the setting up of the T.R.C.

RECOMMENDATION

The Commission strongly recommends here that the relevant political authority and all Grenadians of goodwill should do their best, both in words and deeds, to help create in the country the type of climate that would both foster and support the process of healing and reconciliation.

Section 7:

LACK OF POLITICAL AND PERSONAL RESPONSIBILITY

The T.R.C. also recognizes the refusal of many persons, both politicians and others who were involved in the political process during the period under review, to accept responsibility for their wrong doings. Reconciliation involves acknowledging and accepting responsibility for one's wrong doings.

Many persons during the period under review, have deliberately or inadvertently participated in and perpetrated some serious crimes, violence, and atrocities of one type or another (including murder, beatings, torture, arrests, and disappearances) against many Grenadians, and to date have not acknowledged or accepted responsibility for their wrong doings. In fact, many of those wrong doers and perpetrators are still around today.

While some have migrated and continue to live abroad, many are living in Grenada today - working, walking, and rubbing shoulders with others,

even with those they have wronged, but have not acknowledged or expressed sorrow or remorse for their wrong doings. One example, of the above is attested to in the report of "The Duffus Commission of Inquiry Into The Breakdown of Law and Order and Police Brutality in Grenada", published February 27th, 1975. That Commission looked into the political events and the Incidents of Infringements of Constitutional Rights in Grenada between 1973 and 1974.

According to the Report of the Duffus Commission of Inquiry, complaints were heard, and evidence was gathered from several individuals - both victims of crimes and violence, and perpetrators of same. The above Report presents events of a tragic nature in the affairs of Grenada between 1973 and 1974.

According to one incident that happened in Grenville on November 18th, 1973 involving six persons of the N.J.M., namely: Maurice Bishop, Kenrick Radix, Unison Whiteman, Hudson Austin, Simon Daniel, and Selwyn Strachan. These men were accused of planning to overthrow the then Government of Eric Gairy by force of arms. They were set upon, chased, beaten and brutalized by several Policemen and their aides, who were armed with rifles, iron pipes, batons, axe handles, sticks, etc. They even had their hair shaven, with broken bottles, were put in cells, clad only in their underpants; some of them with wounds that were bleeding. They were even refused medical attention. It is reported that Maurice Bishop was very "seriously injured" with a fractured jaw. (See Report of The Duffus Commission of Inquiry Into The Breakdown of Law and Order and Police Brutality in Grenada. (Pages 18 - 21; paragraphs 32 through to 36).

Although there were several other similar incidents during the period of 1973 - 1974, and during the Revolutionary period 1979 - 1983, the aforementioned, as well as several atrocities committed during the Revolutionary period, tell of the inhumane and brutal treatment inflicted on some Grenadians by fellow Grenadians. Such brutality has evidently left indelible scars and wounds on many who are alive today, as well as on the psyche and history of Grenada and the Grenadian people.

One example of the many atrocities that occurred during the "revolutionary period" was that of a man from Tivoli, St. Andrew who testified before the T.R.C. on 8th February 2002, according to his testimony he was castrated on the 20th June 1980 - His testicles were cut and salt and pepper water poured on them, was also tortured in other ways and left to languish in pain for several days and nights (See Part 6 Witness 8) of this report.

RECOMMENDATION:

The T.R.C. recommends here that those who have in any way participated in, or contributed to such atrocities, crimes, violence, and brutality, and who are still alive should come forward and take responsibility for their wrong doings, and apologize to the victims and families of victims. Furthermore, the present political authority could apologise to the Nation for the sins, mistakes, and wrong doings of the political authorities of the past. Such action can go a long way in helping the process of healing and reconciliation in Grenada, and all efforts must be made and steps taken to make sure that such incidents never happen in Grenada again.

Section 8:

UNWILLINGNESS TO RECONCILE:

Another obstacle to healing and reconciliation in Grenada as identified by the T.R.C. is the lack of will and desire, and even the blatant refusal on the part of many - those who have done wrong to admit and accept responsibility for their wrong doings, and those who have been wronged - to actually forgive and reconcile.

Accepting the fact I have done wrong, and expressing sorrow and remorse for my wrong doings on the part of the wrong doers; and acknowledging that something wrong has been done to me - on the part of victims, and having the will and desire to forgive, are both necessary for genuine healing and reconciliation.

Many people continue to hurt, not only because of what was actually done to them, but also because of how they were treated after the fact.

When people have been wronged and they feel no sense of redress, then healing and reconciliation will remain a difficult thing, if not impossible.

RECOMMENDATION:

The T.R.C. recommends here that a special effort should be made by the political authority, and by other men and women of goodwill who are interested in the healing of the nation and reconciliation of the people, to reach out to the living victims and families of victims of the tragic events of the period under review, preferably on a personal level, and offer some form of consolation, compensation, or help where needed.

One of the sad things that was expressed to the T.R.C. during its encounters with victims and families of victims is that in some instances, many victims and families of victims have never been visited by, or reached out to, by any form of authority to find out what help they may need as a result of personal pain and loss or loss of loved ones.

There is a particularly sad example where the mother of one of those who were executed on the Fort on October 19th 1983 and who was her only form of livelihood, has to date never been visited by or reached out to by any form of authority to find out what help she needs. She remains a mother in great grief and in great need. She remains an example of one who has not been treated justly after that tragic event. The victims and families of victims should never be placed on the heap of the forgotten.

The T.R.C. therefore, further recommends here, that no effort should be spared, and no tangible action be overlooked in order to redress the tragedies of the past. The living victims and the families of those who lost their lives must be treated justly, because justice fosters healing and reconciliation.

Section 9:

THE AIRPORT:

Should it remain "Point Salines International Airport", or should it be renamed "Maurice Bishop International Airport?" This is the question that remains a burning issue of division among some Grenadians. Many ask: how does the resolution of this question affect healing and reconciliation in Grenada? Neither the answer nor the resolution of the question is a simple one.

RECOMMENDATION:

Insofar as the present name or re-naming of the Airport remains a divisive issue among some Grenadians, and as such is an obstacle to reconciliation, the T.R.C. recommends to the relevant authority that in the interest of reconciliation, to consider the possibility of seeking national consensus or having some form of national consultation in order to obtain a resolution of this issue. In so doing, the Grenadian people themselves will get the opportunity to decide what they would like their Airport to be called, and so put the issue to rest.

Section 10:

CONCERN FOR VICTIMS

Another obstacle identified by the T.R.C to Healing and Reconciliation in Grenada has been the apparent lack of adequate concern by successive governments, churches, and other agencies for those who suffered, and the families of those who lost their lives during the period under review.

RECOMMENDATION

The T.R.C recommends here that whenever there is a tragedy, or there are tragedies of the nature and magnitude as occurred during the period under review, that concern for victims and families of victim, should be a matter of priority. For Example, offering compensation or some form of reparation, provision of counseling, and any other measures that may help those persons in their suffering.

Part 5:

THE BODIES/REMAINS

Among the many questions that continue to haunt Grenadians since the 19th October, 1983 tragedy is: What eventually really happened to the bodies (remains) of Maurice Bishop and the other Ministers and Members of the P.R.G. who were executed at Fort Rupert that fateful day?

To date, there have been various conflicting theories as regards what exactly happened to those bodies or remains.

The most common theory, is that after the execution and shootings of individuals on the Fort, the bodies of most of them, some of which were badly mutilated, were scooped up, placed in a truck and taken to Camp Calivigny. The bodies, or what was remained of some of them, were then placed in a large dug-out hole, gasoline and tires were placed over them, they were set on fire and were left to burn, some beyond recognition. What happened after that? The whole truth is not known.

Section 1:

Evidence of, an interview with, Dr. Jordon of the St. George's University

According to Dr. Robert Jordon of the St. George's University who came before the T.R.C. on Thursday 11th April, 2002, he testified: "It was not until November 9th, 1983 that the military contacted one of our facilities. Some of the military personnel from Calivigny contacted Dr. Lenon asking if we had facilities that could be used to examine some remains that were found at Calivigny, and he called me and asked me if they could use the Gross Lab to examine those remains. My Gross Lab was there and we allowed the army to bring the bodies down at the Lab in Grand Anse.

That was the 10th of November. I had no idea what was happening, as to what these things were. I heard that they thought it might be the remains of Bishop and some of his cabinet members. The troops brought over six body bags. They were pieces of meat and bones. There were pieces of skulls, no intact skulls. No real bodies, just pieces of bodies.

We spread out the pieces of bodies on a table and sprayed them to get rid of the maggots and to kill the stench, so that when the army members came in the next day, they wouldn't have to look at something smelly and filled with maggots. There were six or seven members of the team who came in to examine the bodies. We measured some of the femurs that were intact, but none measured the length of Bishop. There were no fingers, toes or hands. We found bits and pieces of scalp hair which we identified as Bain's. We found two female pelvises, one we identified as Jacqueline Creft's. We found bullet holes, but no pieces of shrapnel.

To me as an Anatomist, every bone that was found was black at the end and burnt so they weren't very intact, they were just pieces of bodies. We found a few pieces of clothing, a shawl, dress that Jacqueline Creft's mother identified that she was wearing. We found a watch that belonged to one of the Security Guards. We found Bain's hardware store bills, nothing to suggest that Bishop's body was among them. Possibly Bishop's body was dealt with, burnt or buried separately, but was not among those in the six body bags.

When we finished our examination of the body parts, they were separated from the dirt etc., and placed back into the bags. I was not privy to anything – discussion or otherwise – of what happened to the body parts. My feeling was that the body parts were given to the undertakers for burial. I do not know what happened to the body parts beyond examination. Only about three bodies were positively identified. There were parts of other bodies, but they were not identifiable. It is possible that Bishop's body was among the unidentifiable parts, but I don't know. Possibly, the bodies were dynamited, burnt, and dynamited again, given the condition of the bodies. Ordinarily, burning couldn't cause such massive disintegration of bodies. We found only two bullets and little shrapnel in all those body parts".

57

A: Dr. Jordan: The U.S. Army, and there were soldiers who brought the body bags to our Gross Lab.

A: Dr. Jordan: I have no idea. My guess is that they were completely destroyed.

A: Dr. Jordan: I kept looking for something that would be suggestive of Bishop. I knew him from cocktail parties at the University. I knew how tall he was by shaking his hands. I was looking for something that would suggest his body was in that group of remains, but I found nothing that suggested that. He used to wear these little bracelets, and we found two bracelets, which I knew he wore, but they were not large enough to fit his hands, and the watch belonged to one of his guards.

A: Dr. Jordan: Those were 'U' shaped or horseshoe shaped bracelets with a little knob at the end. They were silver with a little bronze end.

A: Dr. Jordan: No. Until just recently when we had that Commission come through digging up things in the cemeteries two years ago, and we found a couple bodies which they identified as just Grenadians' bodies.... We brought those back to our lab and a team of British pathologists found nothing there that suggested that Bishop was there. There are certain ways you could measure bodies by getting idea of height.

A: Dr. Jordan: My guess is that he was taken separately and burnt and buried some place else. I know he was shot and killed along with others, but what happened with that group, whether he alone was isolated, whether they found parts of him, whatever the soldiers brought to us, he was not there.

Q: Commissioner: Were those body bags sent to America?

A: Dr. Jordon: I don't know. I helped look through the remains with the pathologists, but I don't know what happened to them. I thought they were taken to the funeral home. I heard that they were taken to the States and Toxicology tests were done, but I don't know. When we finished our lab sifting of the body parts, they were put back into the bags, soil was disposed of, and clothing was disposed of.

Q: Commissioner: At that time in 1983, DNA tests were not sufficient?

A: Dr. Jordon: What they did was toxicology tests. Once we looked at them we got them out of the lab. I didn't think that that would have caused a problem in the future. Once we got them out of the laboratory, I forgot about them. I thought they were buried. We had the X-Ray exams.

Q: Commissioner: Were there any skulls?

A: Dr. Jordon: There were pieces of skulls. We found pieces of hair, mandibles, but there was no intact skull. There were three intact pelvises, pieces of fibula, ribs, bones, banged or burnt.

Q: Commissioner: Do you as a scientist find any difficulty in how persons could be convicted for the murder of persons whose bodies have not been found?

A: Dr. Jordon: There is enough evidence. We found a couple of rings, but none was identified as Maurice's

Q: Commissioner: Some of the stuff was handed in at the trial as evidence of their death?

A: Dr. Jordon: If there was a ring, none was there that could fit him. We brought Jacqueline Creft's mom to the Medical School to identify the clothing. There was a guard who died, and one of the workers on the campus was able to identify him, because they were seeing each other. I think the findings were that only three bodies were properly identified.

Q: Commissioner: Who actually made the breakthrough, was it a team?

A: Dr. Jordon: It was a team led by a pathologist. There was no one person I knew that is responsible.

Q: Commissioner: Did you think it is possible that his (Maurice's) body parts might be with this?

A: Dr. Jordon: All the body parts were so broken up that it was difficult to identify. It is possible that his remains could have been in the remains.

Q: Commissioner: Do you have something other than just burning of the bodies that could have been responsible for the pieces?

A: Dr. Jordon: If they had been grenaded, you will find pieces of shrapnel. In my mind, they were dynamited, thrown into a pit, dynamited, burnt and buried. As I read the accounts of the massacre, they were really banged up and cut up. What we found were just pieces. We used a whole case of Lysol spray to kill the maggots.

Q: Commissioner: What became of the clothing?

A: Dr. Jordon: They were left in boxes in the Gross Anatomy Lab, and when we left, the boxes were dumped after being mistaken for trash. The wristwatch we gave back to Dawn Mc Guire, it belonged to her boyfriend. I could kick myself for not having them in a more secure place. What surprised me, even Jackie's dress had some distinct bullet marks.

Q: Commissioner: Well Dr. Jordon, you have not told us where the bodies are, but you have given us a lot of information.

A: Dr. Jordon: I just wished we could have saved more.

Based on the above testimony of Dr. Robert Jordon, it is quite evident that there has been much confusion and uncertainty regarding the whereabouts of the remains of Maurice Bishop and others whose bodies were burnt at Camp Calivigny after they were examined at the laboratory at the St. George's University.

Section 2:

Dr. Terrence Marryshow:

According to Dr. Terrence Marryshow who came to the T.R.C. on April 11th, 2002, and referring to the remains of Maurice Bishop and others who were slain on Fort Rupert on October 19th 1983, he said: "I did some research, and I understand that the bones were taken to the Medical School, and then given to Otway to be disposed of, but he does not remember where he buried them".

Q: Commissioner: The bodies are somewhere in Grenada?

A: Dr. Marryshow: We simply do not know. Based on all information that we got, Nadia Bishop came to Grenada about four years ago, and with the help of some of the forensic experts that worked in the Oklahoma bombing, came and went digging. They dug a grave where we know that 13 soldiers were buried, and we know for a fact that they were not going to find anything in that grave. Some people were suggesting that there was another one where the remains might have been, but were never able to find anything.

Q: Commissioner: Has anyone dug close to that?

A: Dr. Marryshow: Yes.

Q: Commissioner: Do you think any of those in there would know where any bodies are?

A: Dr. Marryshow: I don't think so.

Section 3:

Mr. Alister Hughes:

The members of the T.R.C. paid a courtesy call on renowned Grenadian journalist Mr. Alister Hughes on March 14th, 2002. Among all the other things that he said, this is what he said referring to the remains of Maurice Bishop and others who were executed on Fort Rupert on October 19th, 1983: "...The bones were sent to the Pentagon, then brought back to Grenada and buried ... Bailey buried the bones ...".

Section 4:

Submission by Mr. Keith Scotland on behalf of the "Grenada 17" (see Volume 2 Appendix B)

In a submission to the Truth and Reconciliation Commission (TRC), on behalf of members of the "Grenada 17", submitted by Keith Scotland, dated 20th May, 2002, the following statement was made regarding the remains of the bodies of those who were executed on Fort Rupert and burnt at Camp Calivigny.

"We want to express to you too, our deep sorrow and apology for our failure to ensure that the bodies of your loved ones were not handed over to you during the 5 ½ day period after the October 19th tragedy, and before the invasion. We want you to know that we do appreciate the tremendous additional grief and pain caused to you by this failure of ours. We also recognize your pain caused by the fact that to this day, the remains of your loved ones have not been handed over to you for a proper Christian burial.

We want you all to know that we did cooperate fully in the effort to locate the remains, including disclosing to the authorities in 1983, and again in 1996, all the information ever in the possession of members of the "Grenada 17" on this matter. We ask you to believe that if we had any knowledge at all, as to the whereabouts of your relatives' remains, we would disclose it to you without a moment's hesitation. However, we simply do not know where their remains are, because, to our knowledge, the American military took possession of the bodies of your relatives shortly after the invasion.

You may remember that in early November 1983, a Captain Forde of the US Forces here, announced to the press that they had found the bodies of Maurice and others at Camp Fedon, Calivigny. Then, at the 1986 "Maurice Bishop Murder Trial", the prosecution presented evidence confirming the recovery of the bodies. In particular, they presented jewellery which foreign military and police witnesses testified, were recovered with the bodies; and some members of the family of the deceased identified these in court as belonging to, and worn by their loved ones on October 19th, 1983. We are therefore as mystified as everyone else by the failure of those who took possession of the remains after the invasion, to hand them over to their families at anytime during the last fifteen and more years. It is our deepest and prayerful hope that these remains will finally be restored to you". (See volume 2 Appendix B "Submission to the Truth and Reconciliation Commission (TRC) on behalf of members of the Grenada 17, Appendix 5). Submitted by Keith Scotland, Attorney-At-Law, 20th May 2002.

Section 5:

1986 ISSUE OF THE NATION NEWSPAPER OF BARBADOS

According to the December 1986 issue of the Nation newspaper of Barbados, in a comprehensive report on the trial of the former members of the P.R.G. and P.R.A. called the "Bishop Trial Report", the following is part of the evidence that was given relating to the initial whereabouts of the bodies of some of those who were executed on Fort Rupert on 19th October 1983.

+ a) Bodies loaded and taken to Camp Fedon. October 20th, 1983 - 5.00 a.m. Bodies dumped in an open hole and burnt and buried by Bernard and others: (Page 18).

b) The following is an excerpt from the evidence given by Callistus Bernard (Abdullah) during the trial:

"... I then went and examine the bodies and made sure that they were dead. I told Warrant Officer Gabriel to get some blankets, wrap up the bodies and put them on a truck until further instructions.

I then left the square and went and joined a meeting that was in progress in the Mess Hall at Fort Rupert, and chaired by Major Stroude. About 100 people attended that meeting and at the end of that meeting, I said, "Long Live the Revolution, long live socialism". I then left and along with the other personnel of my armoured car, we went back to Fort Frederick on the car.

I went back to Fort Rupert on the night of October 19th, 1983, about 11 p.m. and the bodies were on a truck. I drove my van there, and then the truck, driven by a man whom I don't know, and about seven soldiers on it, left for Camp Fedon, Calivigny, with the bodies to be buried.

I drove my van and followed them. When we reached a road in Calivigny, the truck stuck, so I had to transport the

bodies in my van. When we reached Camp Fedon, a grave was already dug. So, we put in the bodies, poured gasoline on them and lit them. They burned until next day and then I covered the grave.

When I covered the grave, only bones, little pieces of skull and stuff was in the grave". (Page 22).

Section 6:

Assessment:

When one analyses the statement of the "Grenada 17", and compares it to the testimony of Dr. Robert Jordon, one cannot help but find intrigue and curiosity in the whole scenario. For example, if, as is stated in the submission of the "Grenada 17", a Captain Forde of the US Forces announced to the press in November 1983, that they had found the bodies of Maurice and others at Camp Fedon, Calivigny, the assumption is that Maurice's remains were identified with the others, therefore his remains were recognized.

However, according to Dr. Jordon's testimony, when the remains of the bodies of those who were burnt at Camp Calivigny were brought in body bags to the laboratory at the St. George's University for examination, apparently there was not a trace of the remains of Maurice Bishop among them. Nothing that suggested that any parts of the remains belonged to Maurice.

The obvious question here is: if, according to Captain Forde of the US Forces, the remains of Maurice and others were found at Camp Fedon, Calivigny, what happened to the remains of Maurice between the time they were found at Camp Calivigny, and the examination at the laboratory at the St. George's University? Was Maurice's remains deliberately separated from the others and dealt with separately? Where they isolated from the others and taken away? These and other such questions remain today unanswered.

The T.R.C. is convinced that if Maurice's remains were indeed found with the others at Camp Calivigny, there must be some person or persons somewhere who know what happened to his remains, or where they can be found, if they are at all retrievable.

In their submission to the T.R.C., the "Grenada 17" said that they are mystified by the failure of those who took possession of the remains after the invasion, to hand them over to their families. The question here,

however, is: Why didn't those who participated or were instrumental in the execution of Maurice and others, and were present on the Fort on October 19th, 1983, did not hand over the bodies to the families, or bring the bodies to the nearby mortuary in the hospital, or even give the bodies to some funeral undertaker so that their families could have retrieved the bodies of their loved ones, and have a proper burial?

Section 7:

Mrs. Annie Bain

One answer to the above question may be found in the words of Mrs. Annie Bain, wife of the late executed Norris Bain, whom members of the T.R.C. visited at her home in Grenville on August 29th, 2002. According to Mrs. Bain, who incidentally was herself shot in her hip, elbow and hand, and continues to have two big bullets in her hip; "They called La Qua to collect some bodies. I told La Qua to collect Norris' body. When he got on the Fort to collect the bodies, La Qua asked for "Chine" (Norris) body". Hudson Austin (allegedly) said, "They got so much f...ing bullets, you think I can give you the bodies".

According to Mrs. Bain, Norris Bain was referred to as "the Fat Man with the big hole in his chest". She also said that it was alleged that Sir Paul Scoon, the then Governor-General, said that if they give up the bodies it would cause too much trouble in Grenada.

Furthermore, according to Mrs. Bain, the bodies were allegedly handed over to the Government of Nicholas Braithwaite, but nothing was said or done. "And the whole thing smacked of a cover up", she said.

One important note here is that it is alleged that the remains were eventually handed over to Otway Funeral Agency. Does Otway Funeral Agency know where the remains are? Were the remains actually handed over to them? If so, when, and by whom? And what did they do with the remains?

There is also another haunting question that remains unanswered: Why did the perpetrators of the tragedy on October 19th, 1983, apparently find it necessary to clandestinely remove the bodies from the place of execution, and bring them to Camp Calivigny and burnt them? It seems that there were at least three options that they could have adopted. They could have:

1. Left the bodies at the place of execution;
2. They could have sent the bodies to the mortuary at the nearby hospital;
3. They could have had some funeral undertaker(s) collect the bodies.

In any three of the above options, the families of those who were executed would have had access to the bodies of their loved ones, and taken them for proper burial.

It was bad enough to kill those individuals, but it seemed an even greater tragedy to have removed their bodies like animals, and further try to completely annihilate them by setting them ablaze. Their families in particular, and the nation as a whole, need to know why.

It is quite evident from the testimony of some persons, that what eventually happened to the remains of Maurice Bishop and his other executed colleagues remains an unsolved mystery. It seems quite certain that the remains were examined at the St. George's University. So the questions here are: What happened to them after that examination? Were the remains given to Bailey after the examination as some witnesses contended? Were they sent to the Pentagon, then brought back to Grenada and given to Bailey for burial, as another person contended?

Whatever happened, it seemed that the remains eventually ended up in the hands of Otway Bailey. The questions are: Did he bury them? If he did, where did he bury them? Is there anyone associated with Bailey who knows where he buried the remains, or what he did with them? Did Bailey confide in or tell anyone where he buried the remains or what he did with them?

THE BODIES/REMAINS CONTINUES

PLEASE FIND ATTACHED THE FOLLOWING DOCUMENTS AS
THEY RELATE TO THE BODIES/REMAINS

1. ARMED FORCES INSTITUTE OF PATHOLOGY
WASHINGTON D.C. 12TH DECEMBER 1983 CONSULTANT
REPORT ON THE IDENTIFICATION OF REMAINS.
GRENADA WEST INDIES.
2. CHAPTERS 2 - 6 FROM THE BOOKLET: UNDER THE COVER
OF DARKNESS: BY THE YOUNG LEADERS OF
PRESENTATION COLLEGE 2000 AND 2002 - GRENADA.
(USED BY PERMISSION OF THE AUTHORS)

ARMED FORCES INSTITUTE OF PATHOLOGY

WASHINGTON, D.C. 20304

Address Reply to the Director

Attn: AFIP

12 December 1983

Consultation Report on the identification of Remains

Grenada, West Indies

Background

United States authorities suspect that a sixteen-member military council seized control of the government of Grenada, West Indies and killed Prime Minister Maurice Bishop, three of his Cabinet members, and two union leaders on 19 October 1983. U.S. Army Graves Registration personnel recovered commingled remains, believed to be the Prime Minister and his Cabinet, from a shallow grave near Fort Rupert, Grenada, placed them in four body bags, and stored them in a temporary morgue facility without refrigeration.

The Office of the Joint Chiefs of Staff (J-4) forwarded a State Department request to Armed Forces Institute of Pathology (AFIP) on 9 November 1983 for assistance in identifying the remains in Grenada. AFIP deployed a team of five to Grenada that evening. The team included two forensic pathologists, two forensic dentists and a forensic photographer (TAB A). The team chief coordinated the team's activities through the U.S. Mission, Grenada.

DISCUSSION:

The Graves Registration team recovered the remains prior to the AFIP team's arrival. The recovery process was not documented and no photographs were available. Local commanders indicated that the AFIP team would not be able to inspect the recovery site because the Fort Rupert area was not secure.

The commingled remains contained in four body bags consisted of charred, fragmented tissue in a state of advanced decomposition. The commingling of fragmented bodies and personal effects precluded accurate association of body parts or personal effects with specific remains. For this reason, this report refers to remains and personal effects according to body bag number (LM-1 through CR-4). We placed associated bony parts into approximate anatomic relationships, measured all major bones and bone fragments, listed all parenchymous organ fragments which we identified, radiographed all specimens, and collected tissue for toxicological examination.

HWY 11 1111111111111111

Consultation Report on the Identification of Remains, Grenada (Continued):

The remains represent bodies of at least five people. The four body bags contain five lumbar spines and extremity parts consistent with five individuals.

Estimates of stature based upon examination of various long bones range from 65 inches to 73 inches. Stature estimates for the tallest skeleton range from 68 inches to 73 inches, significantly below the reported stature of Prime Minister Bishop, believed to about 75 inches tall.

Anthropologic studies of the three intact pelves indicate they are male adults aged 30 to 50 years, one with Caucasoid and two with negroid characteristics. Perimortem trauma is present on all three pelves.

Skeletal trauma appears to be of the crushing type, and no evidence of cutting, stabbing, or chopping wounds is present. These findings are compatible with the history of being overrun by vehicles or falling from a height.

Autopsy reports indicate that five people at Ft. Rupert were fatally shot. But the examining pathologist claims that the Ft. Rupert autopsy reports were fabricated and that he did not actually see the bodies of the Prime Minister and others who allegedly died at Fort Rupert. He alleges that he was told only the names and how they died. Nevertheless, we believe the autopsy reports may be reasonably accurate, and the reports of gunshot wounds and blunt trauma are consistent with our observations.

The tissues of GR-2 and GR-4 contained two bullet cores identified as 7.62 x 39 mm (M43) Russian armor piercing cartridges TTAB B). Although the (GR71) pelvis had injuries suggestive of missile trauma, we could not associate particular wounds with these specific missiles.

Personal effects contained items of female attire, including some reportedly belonging to Jacqueline Creft, but we found no identifiable anatomic evidence of female remains- A lumbar radiograph allegedly of Jacqueline Creft showed a bifid lumbar spine, but thorough examination of the bodies failed to disclose this distinctive abnormality.

Personal effects also contained items associated with Fitzroy Bain and Evelyn Maitland, both of whom the autopsy descriptions list among the dead-from Fort

Rupert. No antemortem records were available on either of them to allow identification from the available remains.

Consultation Report on the Identification of Remains., Grenada (Continued):

The remains represent bodies of at least five people. The four body bags contain five lumbar spines and extremity parts consistent with five individuals.

Estimates of stature based upon examination of various long bones range from 65 inches to 73 inches. Stature estimates for the tallest skeleton range from 68 inches to 73 inches, significantly below the reported stature of Prime Minister Bishop, believed to about 75 inches tall.

Anthropologic studies of the three intact pelves indicate they are male adults aged 30 to 50 years, one with Caucasoid and two with negroid characteristics. Perinatal trauma is present on all three pelves.

Skeletal trauma appears to be of the crushing type, and no evidence of cutting, stabbing, or chopping wounds is present. These findings are compatible with the history of being overrun by vehicles or falling from a height.

Autopsy reports indicate that five people at Ft. Rupert were fatally shot. But the examining pathologist claims that the Ft. Rupert autopsy reports were fabricated and that he did not actually see the bodies of the Prime Minister and others who allegedly died at Fort Rupert. He alleges that he was told only the names and how they died. Nevertheless, we believe the autopsy reports may be reasonably accurate, and the reports of gunshot wounds and blunt trauma are consistent with our observations.

M-1e tissues of GR-2 and GR-4 contained two bullet cores identified as 7.62 x 39 mm (M43) Russian armor piercing cartridges (TAB B). Although the (GR71) pelvis had injuries suggestive of missile trauma, we could not associate particular wounds with these specific missiles.

Personal effects contained items of female attire, including some reportedly belonging to Jacqueline Creft, but we found no identifiable anatomic evidence of female remains. A lumbar radiograph allegedly of Jacqueline Creft showed a bifid lumbar spine, but thorough examination of the bodies failed to disclose this distinctive abnormality.

Personal effects also contained items, associated with Fitzroy Bain and Evelyn Maitland, both of whom the autopsy descriptions list among the dead from Fort Rupert. No antemortem records were available on either of them to allow identification from the available remains.

SECRET

Consultation report on the Identification of Remains, Grenada (Continued):

The only available antemortem records were dental records from Jacqueline Creft and Unison Whiteman, lumbar spinal radiographs from Jacqueline Creft's skull radiographs from Prime Minister Bishop, photographs of Prime Minister Bishop and abbreviated autopsy reports of questionable authenticity. This limited availability of antemortem medical, dental, or other records from the Prime Minister, his Cabinet, and other missing persons severely compromised our ability to identify the remains.

Except for dentition, small fragments of skull bones, fragments of brain tissue, and a fragment of skin with black chin hair, the remains are not from heads and necks. The chin hair is not consistent with Prime Minister Bishop whose photographs show significant gray hair, and his beard hair was longer.

We compared recovered dentition to available records and compared other body fragments to available radiographs and autopsy reports. only one set of teeth was present in all of the examined material, but an isolated jaw fragment contained another tooth. Antemortem dental records on Jacqueline Creft and Unison Whiteman do not match either of the dental remains, and the dentition seen in the skull series on Prime Minister Bishop does not match the available dentition. Unique crown and bridge work present in the complete set of teeth may permit identification at a later date if additional records become available (TAB C).

Fingerprint identification was not possible. No fingerprint records were available, and no hands or portions of hands were present in the material examined.

Toxicology results revealed small amounts of alcohol and the presence of acetaldehyde. These findings are indicative of putrefaction. No evidence of medication or of drugs of abuse was present.

SUMMARY:

The material available for examination and the records available for comparison are insufficient to establish the identity of Prime Minister Maurice Bishop, members of his Cabinet, or other persons who allegedly died at Fort Rupert, Grenada, on 19 October 1983. The remains are commingled, and documentation of their recovery is poor due to the hazardous conditions at the time of recovery.

The remains consist of at least five individuals of whom three are definitely males from the 35 to 50 year age range and with mixed caucasoid and negroid characteristics.

Examination of available dentition, long bones, and hair provides no characteristics to suggest that Prime Minister Bishop is among these remains. This does not preclude the possibility that small parts of his remains are among fragments without unique features.

The observed injuries and the reported events associated with these remains indicate that the manner of death is homicide in which gunshot injury remains indicate that the manner of death and blunt trauma constitute the apparent cause.

Conclusion:

1. The remains consist of commingled body parts in a state of advanced decomposition.
2. The remains represent at least five individual people.
3. Remains representing three males are definitely present, but we cannot state that any of the remains are female.
4. Stature estimates range from a minimum of 65 inches to a maximum of 73 inches.
5. Maximum stature estimated from any of the available long bones examined is 73 inches, significantly less than the reported stature of Prime Minister Bishop.
6. Of the three intact pelves. One has Caucasoid characteristics and two have Negroid characteristics.
7. Age estimates based upon examination of three pubic symphyses range from 35 to 50 years.
8. The dentition available for examination does not match Jacqueline Creft or Unison Whiteman.
9. The dentition available for examination is inconsistent with the dentition seen in skull radiographs Of Prime Minister Bishop.

INVESTIGATION

10. A radiograph of a lumbar spine reported to be from Jacqueline Creft did not match available specimens.
11. The only evidence of a female casualty among these remains is the presence of female clothing.
12. Bullet identification indicates that ammunition associated with the remains represents 7.62 x 39 mm Russian armor piercing type.
13. Receipts present in the personal effects contain the names of Fitzroy Bain and Evelyn Maitland.

Chapter 2

Under the Cover of Darkness

Rumours abound as to the exact number of persons who died as a result of the tragedy on the Fort. The Young Leaders put together evidence from three sources to come up with an accurate figure. The prisoners, known as G17, shared confidential information with the students through three letters, which sought to answer specific questions put to them by the Form Four students.

Newspaper reports from the court case of 1986 provided additional information and actual eyewitness accounts from persons who were on the Fort at the time. The following is the story that emerges.

The table on page 26 shows the names of 19 who died as a result of the shooting on the Fort. (It was decided that of the 16 bodies on the Fort and one in the hospital, eight were to be returned to their families and the other nine were to be taken to Camp Fedon in Calivigny for a quick disposal by burning and then burial. Conrad Meyers and Gemma Belmar did not die on the Fort but in the hospital as a result of gunshot wounds, so we know that on the night of October 19, there were 16 bodies on the Fort.

In May 1986, less than three years after the infamous event, Eric La Qua, an undertaker, testified in court that he collected eight bodies from the Fort; five at around 10:00 p.m. and three about 45 minutes later.

Name of Deceased	Occupation	Manner of death
1. Maurice Bishop	Prime Minister	Executed by firing squad
2. Jacqueline Creft	Minister for Education, Youth & Sports	Executed by firing squad
3. Unison Whiteman	Minister for Foreign Affairs	Executed by firing squad
4. Fitzroy Bain	Trade Unionist Member of PRG	Executed by firing squad
5. Norris Bain	Minister for Housing	Executed by firing squad
6. Keith Hayling	Insurance Salesman	Executed by firing squad
7. Evelyn Maitland	Manager of Maitland Garage	Executed by firing squad
8. Evelyn Bullen	Manager of M.A. Bullen Insurance	Executed by firing squad
9. Vincent Noel	Trade Unionist	Gunshot wounds and then shot at point blank range
10. Andy Sebastian Alexander	Student of IFE	Evidence points to death by jumping over the wall
11. Eric Dumont	Estate agricultural worker	Evidence points to death by jumping over the wall
12. Simon Alexander	Student of GBSS	Gunshot wounds
13. Avis Ferguson	Clerk at Geo. F. Huggins	Gunshot wounds
14. Alleyne Romain	Student of GBSS	Gunshot wounds

Name of Deceased	Occupation	Manner of death
15. Nelson 'Saltfish' Steele	Worker at Regal Cinema	Gunshot wounds
16. Sergeant Dorset Peters (30 yrs.)	Soldier	Gunshot wounds
17. O. Cadet Conrad Meyers (25 yrs.)	Soldier	Gunshot wounds Died in hospital
18. W.O.2 Raphael Mason (25 yrs.)	Soldier	Gunshot wounds Taken to hospital
19. Gemma Belmar	Student of St. Joseph's Convent, Grenville	Gunshot wounds Taken to hospital

It is now known that Eric La Qua collected the bodies numbered 10 to 17 in this table.

We checked the registrar of deaths (see table on page 28) to find out who from our list was registered and by whom.

Conrad Meyers died in the hospital, hence Mr. La Qua must have made a stop at the hospital on his second trip to collect the body of Meyers. Since Inspector Mason confirmed that he collected his brother at the hospital and Gemma Belmar was hospitalized that day, there must have been 16 bodies on the Fort at around 10:00 p.m. on October 19.

Name of Deceased Date of Death	Registered by:	Date of registration
Avis Ferguson 19/10/83	Thomas J. LaQua	1/11/83
Allen Grant Romain 19/10/83	Thomas J. LaQua	1/11/83
Conrad Meyers 19/10/83	Reg. Asst. Adm. General Hospital	1/11/83
Dorset Peters 19/10/83	Thomas J. LaQua	11/11/83
Raphael Mason 19/10/83	Asst. Adm. General Hospital, A. Craig	9/11/83
Simon Alexander 19/11/83	Ralph Telesford La Qua & Sons	8/11/83

Two of these persons never received a proper burial, namely Andy Sebastian Alexander and Eric Dumont, both from LaDigue, St. Andrew's and friends around 18 years old. Since eyewitnesses cannot remember seeing them in the courtyard, evidence points to the fact that they jumped to their deaths. Their families were so confused and distraught at the time that they never collected the bodies from Mr. La Qua and so he had no recourse but to bury them in an unmarked grave.

One of Eric Dumont's relatives recently told the Young Leaders that she would like to leave Eric's remains where they are and would prefer to leave the past alone.

It is too painful to do otherwise. In his book, 'Big Sky, Little Bullet,' Maurice Patterson, quoted Sergeant Fabian Gabriel as saying that at the base of the walls he collected three bodies of those who died jumping off and that, maybe there was a few more bodies, because Eric LaQua from the funeral agency had come by on the other side of the Fort to where he was checking, and those ended up on Cemetery Hill - can't say how many. (Chapter 24)

We, the Young Leaders, are convinced that these two men, who were ordered to search for bodies at the base of the fort ought to be able to tell the families exactly who they collected that night. However, based on eyewitness accounts, nobody remembers Andy, Eric or Simon on the open courtyard, and evidence points to the fact that they jumped to their deaths. In November 1999, we spoke to Ms. Judy Alexander by telephone. She is the mother of Simon Alexander, the 15-year-old student from Grenada Boys Secondary School who died on the Fort on October 19. On November 26, 1983, Judy was quoted in the Grenadian Voice newspaper as saying that she collected the body of her son on October 21 at the funeral home. She painfully described how the left portion of her son's back and his right arm and leg were "all mashed up". In her anger and pain she pleaded with anyone who could help her find out exactly how her son died. Fabian Gabriel admitted in a preliminary enquiry in 1984, that the body of a young boy was wrapped in a blanket and we believe this to be Simon Alexander.

We believe that close to 1:00 a.m., on October 20, after Eric La Qua had collected the bodies, a yellow dump truck left Fort Rupert with nine bodies and headed to Camp Calivigny for burial. A statement made by Cal-

listus Abdullah Bernard and published on May 27, 1986 in the Trinidad Express quoted him as saying that on the night of October 19, 1983 he went back to Fort Rupert and saw the bodies on a truck with about seven soldiers and that it left for Calivigny. He followed it in his van. On the approach to the camp, the truck became stuck in mud and so he had to transport the bodies in his van.

Callistus went on to describe how he poured gasoline onto the bodies, struck a match and then let them burn until the next day. They were then covered with earth. This evidence corroborates a statement by the soldier Fabian Gabriel that was published on May 14, 1986 in the Barbados Daily Nation newspaper. Gabriel stated that he went to Camp Fedon with Callistus around 1:30 a.m., and on his way the truck became stuck in mud. Bernard then ordered him and nine others to remove the bodies, which were then taken to a large hole. Disinfectant had to be used on the bodies due to the stench, and the bodies were burnt, using truck tyres, wooden crates and a bucket of gasoline.

A third eyewitness account was given by a former cook called Christopher Bowen. He spoke to us before his untimely death in 2000 near his home in Darbeau, St. George's. It is to be noted that Mr. Bowen was a drug addict and had the tendency to confuse present events with those which occurred seventeen years ago. In spite of this, he did have some interesting points to make. He spoke of a boy soldier by the name of Kent who witnessed the burning and burial of Bishop and his colleagues. We were able to contact Kent who, unfortunately, was obviously hooked on drugs but whose story bore remarkable similarities to that of Bowen's. The latter remembered seeing the bodies of Bishop,

Creft, Whiteman, Norris and Fitzroy Bain. He went on to describe how the bodies were put into the grave with a spade and burnt. Bowen was also the man who led a group of soldiers to the site in early November where they discovered the burnt and decomposed remains.

The Richmond Hill prisoners informed us by confidential letter that there was only one grave at Calivigny and that nine bodies were placed in it. As already noted, conditions were damp and the soil was muddy. Incendiary materials were thrown on top of the bodies and nothing was placed below. This hasty and ad hoc method of cremation explains why clothes, wallets, dollar bills and jewelry were found in the grave almost three weeks later, along with body parts which we believe to be those of Maurice Bishop and his colleagues. In no account was any mention made of another grave site so in all probability all the bodies were placed in one grave. We will now describe when and how the grave was discovered and what happened to the remains of the nine executed persons.

31.

Chapter 3

The grave site at Camp Fedon, Calivigny

We are convinced that all nine bodies were placed in one grave at Camp Fedon, Calivigny. The grave was actually a large hole near the training school toilets. On June 11, 1986, a Barbadian Police Inspector, Jasper Watson, gave a description of the grave from which the bodies of Maurice Bishop and his colleagues had been taken a few days earlier by the US grave registration team. It was 20 feet long, eight feet wide and some five feet at its deepest point.

The hole stank. There were particles, burnt matter and cloth inside and outside the hole. Andre Andall, a gravedigger, was one of those who accompanied Inspector Watson to the grave site in 1983. He claimed that they found the following:

- a set of mandibles (with 4 teeth)
- rings
- a lady's purse
- 2 set of key rings (for a Volkswagen)

Testimony by Barbadian Sgt. Colin Brathwaite on May 14, 1986 and Barbadian P.C Courtney Holder on May 15-16, 1986, showed that jewelry was also discovered at the grave site.

This jewelry comprising rings and pendants, was positively identified as belonging to Evelyn "Brat" Bullen and Norris Bain. The mandibles, due to the unusual

bridgework, were identified as belonging to Unison Whiteman. The US admitted in their report that female clothing was discovered in the hole. These items of clothing could only have belonged to Jacqueline Creft, since she was the only female taken to Calivigny for burial.

We would like to lay to rest all the rumours that some bodies were buried at sea or others are still buried at Camp Calivigny somewhere in an unmarked grave. All the bodies were removed from the one hole by the US grave registration team. We have two pieces of evidence to support our claim.

In a statement given at 7:30 p.m. to Inspector Jasper Watson and witnessed by Sgt. Colin Brathwaite on Wednesday, November 2, 1983, Gabriel, a soldier who formed part of Bishop's execution squad, stated that the bodies were put "on a yellow dump truck and went to Camp Fedon where the bodies were burnt and buried in one hole."

A source at the Richmond Hill prison gave us answers to the direct questions given below.

Interviewer: How many trips were made from Fort Rupert to Camp Fedon with bodies on the night of October 19, 1983?

Ex soldier: One

Interviewer: As far as you can recall, were the bodies of Evelyn Bullen, Evelyn Maitland, Keith Hayling and Vincent Noel present?

Ex soldier: Yes

Interviewer: How many sites were the bodies taken to Camp Fedon buried at?

Ex soldier: One

Interviewer: Is there any possibility that there could have been a separate burial of bodies without your knowledge?

Ex soldier: No

Interviewer: Any more comments?

Ex soldier: All nine bodies - Maurice Bishop, Jacqueline Creft, Unison Whiteman, Norris Bain, Fitzroy Bain, Evelyn Bullen, Evelyn Maitland, Keith Hayling and Vincent Noel were buried at one site. No other bodies were buried with these.

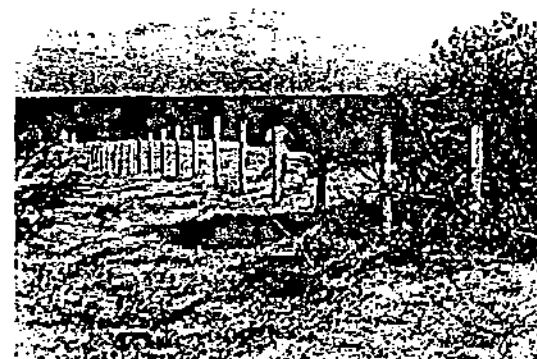
Even though we have good reason to doubt the testimony of the deceased Christopher Bowen and to some extent, Fabian Gabriel, never once did any of them mention more than one grave site at Camp Fedon.

Based on a description of the bodies by eye witnesses at the St. George's University, we assume that the five bodies that were recovered as will be described in Chapter 5 represented all that remained of the nine who were buried in that pit. The Young Leaders interviewed the doctor who was called to examine the remains, along with a worker at the University who was present when the remains arrived and also when they were being examined over a two-day period.



Plaque on the site of the execution of the late Prime Minister, Maurice Bishop and his colleagues at Fort Rupert (now Fort George)

Burial site of Maurice Bisop at Camp Fedon, Calivigny



US soldiers recovering bodies from grave at Camp Fedon, Calivigny in early November, 1983

34

35

Chapter 4

Discovery of the bodies

From the early hours of the morning of October 20 1983 until Wednesday, November 9, 1983, the bodies of Maurice Bishop and his eight colleagues lay in their muddy and shallow grave in Camp Fedon. Twenty days elapsed before they were to be discovered by the US armed forces.

On October 25, 1983 the United States landed forces in Grenada. Some call it an intervention, others an invasion, still others a rescue mission. Whatever the case, many of our people were happy to see an end to the chaos that existed at the time. Soon after the US landings PRA and Cuban forces had surrendered, Bernard Coard and the remnants of the RMC were incarcerated; and an interim Government was set up by the then Governor General, Sir Paul Scoon. In early November, the US army received information that there was a mass grave at Camp Fedon in Calivigny which possibly contained the remains of the late Prime Minister, Maurice Bishop. A group calling itself the grave registration team went to the site along with only one soldier from the peacekeeping force, a Jamaican named Earl Brown. They dug up the shallow grave finishing in late afternoon. The date was Wednesday, November 9, 1983.

We now know that the tip-off about the grave's location came from the camp cook at the time. His name was Christopher Bowen who lived until recently in

Darbeau, St. George's. Unfortunately, he died in 2000 after falling from a tree. Before he died, though, he was able to speak to the students on two occasions. It was evident that he was a drug addict and that his stories often confused dates.

However, the information he gave corroborated that of the Jamaican soldier, even though they had not been in contact since 1983. Mr. Bowen spoke of the slow and meticulous recovery process. The area was very muddy. Even though Callistus Bernard had tried to burn the bodies to cinders, this did not take place.

We attempted to collect rainfall data for the period leading up to October 19. However, the Meteorological Office at Point Salines started collecting data only from 1985. We do know that the conditions in 1983 were extremely wet. On Wednesday, May 14, 1986, Sergeant Fabian Gabriel testified in court that at about 1:30 a.m. he went to Camp Fedon with Bernard where he saw a truck with the bodies of Bishop and his colleagues stuck in mud. This corroborates a statement made by Callistus Bernard and published on May 27, 1986 in the Trinidad Express where he said "... I went back to Fort Rupert on the night of 19 October, around 11:00 p.m. and the bodies were on a truck. I drove my van there and then the truck driven by a man whom I don't know and about seven soldiers on it left for Camp Fedon, Calivigny, with the bodies to be buried. I drove my van and followed them. When they reached a road in Calivigny, the truck stuck, so I had to transport the bodies in my van."

Bowen described the recovery process, giving a graphic description of the bodies, some of whom he recognised, since the parts of the bodies that were stuck in mud had

36

37

not burned. This is highly likely since the team that discovered the bodies found clothing, jewelry, paper currency and receipts.

On January 27, 2000, after a very long search and phone calls to Jamaica and the United States, the elusive Jamaican soldier, Earl Brown, was contacted by the Young Leaders. He was willing to share with the students a description of what he saw as part of the team that opened the grave site in Calivigny. It is important to note that when interviewed Brown had no idea that we were attempting to compare an eye witness account with those of newspaper reports from the period, along with the official report produced by the Armed Forces Institute of Pathology in Washington D.C, which we will henceforth call the Consultation Report. We now give the contents of Brown's e-mail message to us verbatim.

Date sent: Thursday, January 27, 2000.

- I was at Camp Calivigny because while interrogating information came to light that bodies were buried in a pit.
- These bodies were said to be that of Maurice Bishop, Jackie Creft, and three other members of his government.
- We got to Calivigny sometime in the afternoon maybe after two or three o'clock.
- The remains were partially burnt and partially decomposed.

- It was quite obvious that one of the bodies was a female.
- There was no mistake that there was definitely a female in that pit.
- Skulls along with other body parts were found.
- Based on the information that we had received about who were shot and disposed of at that location and based on the description of clothing that the victims were wearing when the remains were recovered, it was very clear that Mr. Bishop and Ms. Creft's bodies were among the five that were recovered at Calivigny. At that time back in 1983, based on the information alone, it was quite obvious that those people were in fact in the pit.
- Today, we would definitely have to use DNA or other forms of technology to determine whose bodies were there. But at the time of recovery although we could not identify each body by his features, based on the clothing that were on the bodies, one could make near if not positive identification based on the information about the clothing that each person was wearing at the time of death and that was already established by people who were at the fort that day.
- The report would have been wrong if it stated that there was female clothing but no female body parts. There were female body parts found that day and that is the truth.
- One of those bodies was definitely that of Prime Minister Maurice Bishop. Based on the informa-

tion about the clothes he was wearing at the Fort and at the time he was killed, one of those bodies was his.

- Unfortunately, I was the only Jamaican and Caribbean Peace Keeping Force member to be present at the gravesite. That was due to the fact that I was one of the people who got the information during interrogation about the location of the bodies.

We were also able to speak to Brown by telephone. He explained to us what he meant by female body parts. He quite specifically remembered seeing breasts and genitals; hence his insistence that there was a female among the remains. We compared his account with those of newspaper reports from the period. The Trinidad Express had to say on Thursday, November 10, 1983, the day after the discovery:

A US official said today that the remains of three males and one female appear to be in a grave on Grenada where officials have said former Prime Minister Maurice Bishop may have been buried.

On Wednesday, November 9, the same day of the discovery, the Trinidad Guardian reported:

U.S soldiers today found burnt and decomposed bodies of three people, including what may be the skeleton remains of slain Prime Minister, Maurice Bishop. . . . Army Captain Henry Fore said one of the scorched skeletal remains was that of a woman. He also said that the remains were burnt beyond recognition.

Captain Henry Fore definitely said that one of the

scorched skeletal remains was that of a woman, without mentioning to the reporters anything about female clothing. Fore's statement to the press substantiates Earl Brown's account, that there was definitely a woman in the remains. This emphasis on the discovery of a woman is important to this project since, as we shall see in the next Chapter, the U.S Consultation Report emphatically denies the presence of any woman in the remains. This could be interpreted as a denial of the discovery of Jacqueline Creft which we believe is a deliberate attempt to cast doubt about the identity of the remains. Since Jacqueline Creft, Maurice Bishop and their seven colleagues were buried in the same hole, discovery of her body would confirm discovery of Maurice Bishop and the others. The fact that Brown and Fore could only identify four bodies is not surprising, seeing that the discovery was made 20 days later after a ghoulish attempt to burn them on October 20, 1983. Many of those bodies would have burnt so badly that it is very likely only a few bones and body parts remained, hence the estimate of four or five bodies.

We know that the only female unaccounted for among those killed at Fort Rupert was Jacqueline Creft. Her body was the only one among eight males taken to Calivigny by Callistus Bernard and Fabian Gabriel in the early morning hours of October 20. The U.S consultation report confirmed the presence of female clothing in these remains, and also that they belonged to Jacqueline Creft. We shall now look at the U.S consultation report, produced after a thorough examination of the remains which were taken from the grave site in Calivigny to the St. George's University laboratory for examination.

Chapter 5

The Consultation Report

On Wednesday, November 9, 1983, at least five bodies and body parts were sent to the St. George's University Anatomy lab for analysis. Dr. Robert Jordan was approached in 1983 to assist in cleaning and examining the remains. He is still attached to the St. George's University. He kindly granted us the interviews- the first being on Monday, August 30, 1999 and the second on Thursday, March 1, 2001. Dr. Jordan was very cooperative and had kept a diary, so that the sequence of events we now describe is very accurate. It is definite that the body parts discovered in Calivigny, and which we believe contained the remains of Maurice Bishop, arrived at the St. George's University on Wednesday, November 9, 1983, since this was recorded in Dr. Jordan's diary. The sequence of events described below was from Dr. Jordan's memory.

Wednesday, November 9, 1983. Six black body bags were brought to the St. George's School of Medicine. We were told that each bag was full of dirt and maggots. It looked like cooked roast beef, pink on the inside and black on the outside. The ends of the bones were charred and splintered which is consistent with being dynamited or run over by a vehicle. No metal fragments were found in the remains.

Three and a half pelvises were found. Also found were Bain's wallet with receipts, two silver bracelets and mandibles with a gold bridge which were identified as belonging to Unison Whiteman.

42

The first inconsistency in the report is that the grave registration team is reported as putting the remains in four body bags, yet two eyewitnesses, Dr. Robert Jordan and Mr. Christopher Belgraves, a worker, remembered seeing six black body bags which were spread out on six tables for examination. This inaccuracy needs to be clarified, especially for such an important find. The report did state that the remains represented at least five people. We believe that since there was only one grave site at Calivigny, this revelation supports our theory that the bodies of Maurice Bishop and the eight others were in those body bags taken from Calivigny.

The bones which were discovered were measured and matched to a scale to determine the height of the individuals. In layman's language, the taller you are, the longer are your bones and, using a scale, one can calculate the height of an individual. The Consultation Report, which is the official report by the Armed Forces Institute of Pathology, said that their bone measurements proved that the men in those body bags could not be over 75 inches tall, and therefore the body of Maurice Bishop, a tall man, could not be among the remains. There is a conflict of scientific opinion here, since Dr. Hughvon DeVignes, a forensic pathologist from Trinidad, told us that the scale he uses for Caribbean men does not preclude the distinct possibility that one of the remains represented a man over six feet tall. In short, it is very likely that some of those bones belonged to Maurice Bishop.

The Consultation Report also made this statement:

Personal effects contained items of female attire, including some reportedly belonging to Jacqueline Creft,

Thursday, November 10, 1983 The remains were taken to the hospital in St. George's to be X-rayed (through body bags) and there bullets were discovered in the bones.

Friday, November 11, 1983 The bags were sent back to the medical school to be examined thoroughly all day long.

Saturday, November 12, 1983 The remains were picked up by Otways Funeral Home. Dr. Robert was not sure who authorized this.

We cannot put a date to the burial of those body bags. Leslie Bailey, now deceased, would have been the only one who could have told us with certainty where the bags are located, but he took the secret with him when he departed this life. It appears that he was given strict instructions to bury the bags quietly in the St. George's Cemetery.

On the December 12, 1983, the Armed Forces Institute of Pathology (AFIP), based in Washington D.C produced a report about the examination of the remains of the bodies found in Calivigny, which we now know are those of Maurice Bishop and his colleagues. On examining the report, the Young Leaders felt that it was put together very hastily, with major inaccuracies and inconsistencies as compared with actual eyewitness accounts.

The addendum of this report, says that the officer in charge of the recovery was satisfied that the grave registration team "did a thorough job and recovered as many remains and personal effects as possible under the circumstances."

43

but we found no identifiable anatomic evidence of female remains.

This is surprising especially when all eyewitnesses remembered seeing a female being recovered at the gravesite in Calivigny. Below is a synopsis of an interview with Dr. Jordan and the Young Leaders. We were happy, for the sake of our project, to have had the good fortune of speaking with a doctor who actually examined the remains of what we now believe to be those of Maurice Bishop, Jacqueline Creft and the seven others who were taken to Calivigny hours after being executed at Fort Rupert.

Interview Date: Thursday, March 1, 2001

Venue: Anatomy Lab, St. George's University

Young Leader: I have a report from a soldier who was there at the time (reading from Earl Brown's e-mail message). It states: "We got there about 2:00 or 3:00 p.m. in the afternoon. I was part of the US recovery team. The remains were partially burnt and decomposed. It was quite obvious that one was a woman. Skulls along with other body parts were found." I spoke with him on the telephone and he said that he saw breasts and genitals. This is in direct contradiction to the US report, which stated that there was no anatomic evidence of female bones in the remains.

Doctor: I know. I was quite surprised myself. We found at least three pieces of hemi-sected (cut in half) pelvises, the innominate bones besides the pelvis and they had what looked like the birthing marks on the pubic symphysis, which showed that the woman had

45

44

given birth. There were at least three. They would be part of two female hemipelvises. And we found Jackie's dress- a dress which as far as I remember, her mother identified. We also found some female jewelry.

Young Leader: Do you know what happened to the dress?

Doctor: No

Young Leader: Look at this report. A US official said that the remains of three males and one female were found in a pit. Isn't it strange that he was so definite that one female was found, and yet the US Consultation Report said that there was no anatomic evidence of any female in the remains?

Doctor: Well, that is not my recollection. I remember looking at the pelvis, the innominate bones, putting a couple together and saying, "That looks like a female pelvis. Plus a third innominate bone had notches on it that were indicative of childbirth."

Young Leader: The what notches?

Doctor: Little grooves in the pubic symphysis that indicate that the pelvises were pulled slightly apart during childbirth and then came back together. These are distinctive grooves in the cartilage.

Young Leader: With what kind of certainty can you say that those bones were female?

Doctor: Very good percent. In my mind I saw some female pelvises. I was surprised when I read in the report later that there were no female bones.

Why would those forensic experts from the Armed Forces Institute of Pathology say that no female bones were present in the remains? It is doubtful that experts could make such a mistake, so we have to conclude that there was an attempt to hide the truth about the discovery of Jacqueline Creft's body. Could it be that someone knew that if it were revealed that Ms. Creft's body had been discovered, then Maurice Bishop's body would also have to be in those remains? As a group of teenagers, we cannot demand that the truth be revealed, but we are insulted that the intelligence of Grenadians could be mocked in this way in 1983 and now in 2001.

The US report went on to say that personal effects belonging to Fitzroy Bain and Evelyn Maitland were also found. Why, then, were their remains secretly buried? Surely, the families of these men would want to give them a dignified funeral! If items belonging to these men were found, then their remains would be present. A jaw with some teeth was also discovered, and later identified to be that of Unison Whiteman. Who authorized Leslie Bailey to bury these remains, and what right had he to do so?

Another mystery is that Earl Brown in his e-mail to us confirmed the presence of complete human skulls in the remains. Yet the consultation report states that only "small fragments of skull bones" were found. We have communicated by e-mail with a number of experts and not one could explain how clothing, paper receipts and bills could be found and no skulls. How could one find flesh, skin from a chin, paper receipts and currency bills, bones from other parts of the body but no skulls? Earl Brown's e-mail below confirms the presence of skulls in the remains. We asked him specifically about

skulls without letting him know our intention of matching his description with the U.S Consultation Report.

Earl Brown, January 6, 2000

Email message to Young Leaders

I must first say that after 16 years I thought that the people of Grenada had already given their dead from that incident, a proper burial.

I am very saddened by the fact that these people were not given a proper burial.

I personally was very hurt by the fact that Maurice Bishop got killed. I was happy that I was involved in finding his body. I say finding his body because based on the information that we received at the time regarding the number of bodies and the specific description regarding clothing that they were wearing at the time of death the bodies were put in body bags and tagged as to who was in what.

I must also say that although the bodies were partially burnt, we recovered more than just bones.

It was very positive that one female body was inside that grave along with four males.

There were skulls, bones and flesh parts that were recovered although we could not make out specific features that we could match with pictures.

A total of five bags were removed as far as I can re-

member and we finished the entire operation late that evening.

I hope I have helped to resolve this issue.

Thanks.

Earl Brown

The evidence suggests that someone removed complete skulls between the time the remains were recovered in Calivigny and their arrival at the lab in Grand Anse. Why would someone do this, and would they have had time to do it? In 1983, DNA testing was not yet developed so the only way to identify human remains was by examination of the skull, and in particular, dentition. It seems that a hasty job was done to remove complete skulls, and then the remains were sent to the lab for examination. Dr. Jordan thinks that the remains he saw on the examination tables on November 9, 1983 were either blown apart or rolled over by a heavy vehicle. In any event, someone seems to have gone to great pains to ensure that the identity of those remains would be shrouded in uncertainty. One theory which seems plausible is that Maurice Bishop would have been made a martyr had his remains been discovered, and this was undesirable at the time in Grenada. We, the Young Leaders, are convinced that once those body bags buried by Leslie Bailey are discovered, then Maurice Bishop's remains, or at least some of them, will be found.

There is a great discrepancy between the observations made by the Jamaican soldier who accompanied the US grave registration team and the forensic team that took

at least three days to record their observations and conclusions.

The Jamaican soldier, Earl Brown was adamant that he saw skulls and female body parts. In our telephone conversation with him, he explained what he meant by female anatomic parts. He described in no uncertain terms the decomposing breasts and female genitalia which were then placed in a body bag. He also saw skulls- not just fragments, but entire ones. The US forensic team confirmed the absence of skulls and female body parts.

In fact, when one juxtaposes the Consultation Report, which summarized the examination process of the remains, and the description of the Jamaican soldier who helped recover the remains, it seems obvious that some body parts were removed. More specifically, there was some form of sorting process where the skulls were deliberately removed from the recovered remains.

The sorting process would have taken a few hours at least. We always thought that the remains from Calivigny were taken directly to the medical school, but this is proving to be a false belief. Two pieces of evidence can attest to the fact that the body bags were not taken directly to the gross lab at St. George's University for examination. The first is a report which appeared in the Trinidad Guardian on Thursday, November 10, 1983:

U.S army soldiers carried a body from a mass burial grave in Calivigny, Grenada on Tuesday, November 8th 1983. Four badly burned bodies were removed from a former PRA military camp. Officials suspect that the remains of former Prime Minister Maurice

Bishop may be in the mass grave, stemming from the October 19th massacre. (UPI photo)

It is definite that the bags arrived at the lab on Wednesday, November 9, 1983. Dr. Robert Jordan, who still works in the anatomy lab at the True Blue University Campus, recorded in his diary the date when the body bags were brought to the lab. It was November 9, 1983. For our investigation, we were able to interview Christopher Belgrave, a worker whose responsibility was to clean the gross lab. He remembers five or six garbage bags arriving at the lab around 10:00 or 11:00 a.m. that day with human remains.

It could not have been the same day of their discovery since Earl Brown remembers finishing the recovery process at Calivigny "late that evening." Assuming that the remains of Maurice Bishop and his colleagues were recovered at 6:00 p.m. on Tuesday 8 November, it was close to 16 hours later that they arrived at the lab for examination. This was more than enough time to sort through the remains and remove all complete human skulls or female anatomic parts.

Mr. Belgrave said that the human remains which gave off an awful stench, arrived at the lab in plastic bags that looked like large garbage bags. Since he was responsible for keeping the lab clean, he suggested that they spread six large body bags on the examination tables. He did not want the contents to be spilled out onto the bare tables. He described to us how he unzipped six bags and then helped the US forensic team spill out the contents onto the examination tables. The photo of the recovery process makes plain that the human remains were placed directly into about four to

six body bags. How does one explain, then, that the bodies arrived in large plastic bags that looked like garbage bags?

Why couldn't the remains be taken directly to the St. George's University lab? Why were the remains taken out of the original body bags and placed into other plastic bags?

We conclude that the remains were tampered with, and that during a 16-hour period, skulls as well as other body parts were removed to confuse the identification of the human remains discovered at Calivigny.

Chapter 6

Discovery of the body bags

In early November 1999, one of our Young Leaders was interviewing Mr. Clinton Bailey when he mentioned to him that a gravedigger had stumbled upon some body bags while preparing a fresh grave. Since the bags were in the way, he simply covered them with some earth and forgot about them for a few months. The Young Leaders were excited by the news, since they were determined to bring peace to the families who were still searching for the remains of their loved ones. However, the excitement was short lived, as these bags contained intact skulls and we knew from the AFIP report from 1983 that the bags we were looking for did not contain any intact skulls.

Mr. Clinton Bailey, however, thought it best to inform the public of the find and made a public announcement on the eve of the new millennium. Never did he think that so much hostility, bitterness and suspicion would accompany the disclosure. The International press came down, and the world waited for the results, which we knew were going to be disappointing. A high powered team from the UK and USA came down to investigate the find. The results of the tests were never made available to the public, but we have been in touch with Dr. Stephen King from St. Lucia, who told us what he knew about the bags.

The UK team examining the bags consisted of Dr. Ian Hill from the Department of Forensic Medicine of Tho-

mas School of Medicine in London, and Dr. Sue Black, consultant Forensic Anthropologist of Stonehaven, Aberdeenshire. The US team comprised Dr. Joseph Dizinno, Forensic Lab Section Chief and Forensic Dentist; Dr. Douglas Arendt, Forensic Dentist; Dr. Abubakr Marzouk, Forensic Pathologist; Dr. William Rodriguez, Forensic Anthropologist; Mr. John Massy, Supervisory fingerprint Specialist; Mr. Raymond Rozyeki, Visual Information Specialist; Mr. Kevin Brown, Photographer; Jeffery Leggitt, Supervisory Photographer; and Dr. Stephen King, Consultant Pathologist from St. Lucia.

One bag contained three skulls, all male and in their late forties and fifties. The evidence points to the fact that the bodies were those of patients from the mental hospital which was bombed on October 25 by US bombers responding to hostile fire from the area. At least 23 patients died in that blast and they were hastily buried in St. George's, some being put three in each body bag. One of the skeletons still wore a piece of clothing on which was written a name in Spanish. We believe that one of those discovered was a Cuban who was killed in October 1983 and forgotten in the St. George's Cemetery.

The search still goes on for the body bags containing Maurice Bishop's remains, which lie somewhere in the St. George's Cemetery. Some believe that they were almost discovered a few years ago during a well organized and very expensive search, but that the location was too close to a recently buried grave which could not be disturbed. Further complicating the search is the revelation by Mr. Bailey in November 2001 that his company handled the removal of remains from some of the disaster areas after October 25.

These included 23 mental patients who were killed in a bomb attack, some civilians and, very importantly, some remains from the St. George's School of Medicine. Approximately 30 disaster pouches were used to dispose of remains. Should any further body bags be discovered, then authorities would do well to remember that the pouches containing the remains of Jacqueline Creft, Maurice Bishop and the seven others do not contain any skulls. The bones would also be fragmented, and charring should be visible on the ends of bones. We are hopeful that one day these disaster pouches will be found and, with them, the solution of a mystery which continues to haunt the minds and memories of many Grenadians.

RECOMMENDATION

The Truth and Reconciliation Commission strongly recommends that the relevant authority or authorities, in collaboration with the families of those who were executed on Fort Rupert on October 19th 1983, as well as all concerned Grenadians, should make serious efforts to ascertain the exact whereabouts of those remains from the moment they were dug up at Camp Calivigny. Efforts must also be made to determine the exact date that the remains were dug up before they were brought to the Gross Lab at the St. George's University, on the 10th November 1983, since according to the "Grenada 17" in their memorandum, a Captain Forde, of the U.S. Forces announced in early November 1983, that they had found the bodies of Maurice and others at Camp Fedon, Calivigny. Therefore, the question remains, since the remains were brought to the St. George's University on the 10th November, what happened, or were happening to those remains from early November (early November could mean from the 1st onwards) until the 10th November.

Part 6:

TESTIMONY AND EVIDENCE OF WITNESSES

Section 1:

Evidence and Testimony of some of the persons who came before the T.R.C. Verbal interaction between witness and Commissioners.

The Commissioners began taking evidence on October 9th, 2001 and heard the final witness on August 26th, 2002. During that period, approximately seventy (70) persons, including members of the Conference of Churches Grenada, appeared before the Commissioners.

Those who appeared before the Commissioners included some who were unlawfully detained, imprisoned, beaten, and tortured, and suffered degrading and inhumane treatment. Some who lost arms and limbs as a result of the tragedy on Fort Rupert on October 19th, 1983. There were also some who lost arms and legs as a result of being beaten up and tortured after being arrested. There were also some who appeared on behalf of family member or members who suffered in one way or another during the period under review.

The following is the testimony of some of the persons who came before the Commission.

Witness one of Fontenoy, St. George, came before the Commission on October 9th, 2001. According to his testimony, he was detained by the People's Revolutionary Government on June 1st, 1981 until September 16th, 1981. He was first placed in a barbed wire cell at Fort Rupert with other detainees. According to this witness, he was beaten and tortured for about a week and a half. He was beaten on the chest with a gun butt, was handcuffed with his hand in the air for hours. On one occasion during his detention, he received no food for two days, and was not allowed to bathe for two days.

He was eventually taken to the Richmond Hill prison on September 15th, 1981 and released the following day, September 16th. He said that he was told that a mistake was made by bringing him to prison.

When he was asked by one Commissioner, what reason was given for his detention, he said they told him subversion and conspiracy with others to overthrow the People's Revolutionary Government. He was also accused of bringing in arms through the Post Office. At the time of his detention, he was an employee of the General Post Office. He denied the accusations. Before his release, he said he was told, "We thought that you were the one importing arms through the General Post Office".

This witness is seeking some form of compensation for his many losses during his detention. As he said, "I lost much during my detention. I was put out of bread and butter, and was never compensated".

Witness two of Corinth, St. David's, came before the Commission on October 29th, 2001. According to this witness, he was unlawfully detained and imprisoned as a Sergeant of Police while he was in charge of, and on duty at the St. Paul's Police Station. He was picked up and imprisoned on March 13th, 1979 to December 31st, 1981.

Regarding his treatment in prison, this witness said that on the first day, he was beaten and kicked, placed in a cell and only allowed to come out for half an hour at a time, under guard, in order to get some sunlight.

According to this witness, he was told that he was arrested because he was too close to Gairy. This witness is seeking compensation for deprivation of wages while imprisoned.

Witness three from Maran, St. John's, originally from Birchgrove, St. Andrew's. He appeared before the Commission on October 30th, 2001. According to this witness, he was one of the many civilians who took part in the demonstration to release Maurice Bishop. He was one among the crowd who marched up to the Fort. While on the Fort on that fateful day of October 19th, 1983, one of his arms was shot off. He was only 17 years old then. This witness is seeking some form of compensation, as well as gratuity and pension after having worked in the Ministry of Communications and Works for 15 years. At the time he appeared before the Commission he had no income.

Witness four of Marli, St. Patrick's appeared before the Commission on November 12th, 2001. He was a member of the Royal Grenada Police Force from June 1977.

According to this witness, "On the 4th of November, 1979, I was in Morne Jalous St. George's by a girlfriend of mine when some P.R.A. soldiers came and knocked on the door about 2:00 a.m. They asked me to accompany them. I got dressed and went in an open-back land rover.

On arrival in the van, I met one (xxx) ... and another guy. They took us to Fort Rupert. On arrival, we were blindfolded, and some P.R.A. stretched open my hand and were bouncing me up against the vehicles in the yard. After a period of time, they put me sit down on the ground, with them in front of me, and I embraced them so my hand was on the first person's shoulder. Then they reversed a vehicle on my back and squeezed me forward in a lying position. I think I fainted, because I ended up in a room and I know I did not walk to it. In that room I heard people bawling and crying".

Q: Commissioner: Were you still blindfolded?

A: Witness: "Yes I was. The skin on my shin peeled out, and I heard a woman soldier saying "Comrade, this man is bleeding to death, let me put some menthylated spirits on the wound." The soldier replied "Leave him, let him bleed and dead".

The witness continued. "I was made to do pushups blind folded, standing on one leg. Sometime later I was brought into the interrogation room. The guys who recently came out said that they were beating people inside there. On entering, I felt two heavy lashes on my chest, but I did not fall. One soldier said, "Comrade, this one strong. That is the only one that didn't fall yet". They started to ask if I was involved in a plot to overthrow the Government, and that they had photographs of me attending meetings. When I denied it, they beat up on me. I was beaten to accept that I went to a meeting with (a certain doctor) who up to this present day the doctor they were beating me for, I do not know him".

Q: Commissioner: They accused you of going to a meeting at that doctor?

A: Witness: "Yes. They accused me of plans to meet a boatload of mercenaries at Mt. Hartman. During the process that they were questioning me, I told them I knew nothing about it. There was a P.R.A. soldier (xxx) from Sauteurs. I knew him by his voice and he said, "Comrade, I know this man and for him to speak you must beat him". The next day, they brought me back into the interrogation room. I was asked if I would go on radio and television and make a statement as to who were involved in the plot to overthrow the Government. I said, "I

cannot lie on people and I don't think I could go on television and radio and lie on people I don't know; and furthermore, you bring me for interrogation and now you want me to make statement on radio?" Then the two guys held my both feet firm on the ground and they bang up my toes with a stick. They pound up my toenails so that they actually came out."

Q: Commissioner: How long did you remain there?

A: Witness: "I spent forty two (42) days on Fort Rupert between cells and interrogation room."

Q: Commissioner: Then you went over to Richmond Hill Prison?

A: Witness: "Yes. On the 16th December, 1979 I was transferred to Richmond Hill Prison." The witness continued. "During my time in the cell, a nurse passed and saw my condition and gave me some pain killers. I spent three (3) years and twelve (12) days there. I was released on the 16th November, 1982, and was asked to hand in my Passport, and that I was not allowed to leave the state of Grenada. (xxx) who was The Commissioner of Police at the time, gave these instructions to the batch of detainees. Every fifteen days, I had to report to the Gouyave Police Station. I did that until the end of October 1983, because at that time, the American soldiers would have come for the intervention".

Q: Commissioner: Were you paid for the three and a half (3 ½) years you were in prison?

A: Mr. Witness: "NNP compensated people for lost service, not for my wrongful imprisonment and unlawful dismissal."

This witness also revealed that there were blank detention orders that were signed by Maurice Bishop, so that any P.R.A. officer could have inserted a name and detain a person without Bishop knowing. This witness is requesting compensation.

Witness five "from Telescope, St. Andrew's, came before the Commission on November 13th, 2001."

The Witness: "I am stationed at Central Police Station situated on the Carenage. I have been a Police Officer up to the day of March 13th, 1979 when I was working in the Police Station. I was picked up by the Revolutionary Army and accused of being a counter revolutionary according to the law."

Q: Commissioner: What rank were you at?

A: Witness: "I was a Constable."

The witness continued. "I was taken to Fort George where I was blindfolded and hand-cuffed. On my arrival at Fort George, I was greeted with some licks, kicks, cuffs, boxes, and so on. I was then taken to something like a cell where I was locked inside with blood flowing from my face and mouth. About half an hour after, I heard a cell door opened and was greeted with a bucket of cold water that was splashed on me. Then they locked back the cell door, leaving me inside.

During the day at about 11:00 or 12:00 when the sun is very hot they would take me out of the cell and put me on the hot wall. That is on Fort George. At one stage, myself, (xxx) who is an ex-police, stayed there for about two (2) hours blindfolded. I was then taken to the Richmond Hill Prison about a week after. When I was in prison, something happened outside and they took us altogether from the prison and brought us back to Fort George. I think they held some people for counter revolutionary causes. They held them for guns and ammunition, and they were interrogated by (xxx)".

Q: Commissioner: About how long were you in prison before they brought you back to the Fort?

A: Witness: "A few days. There was a cruise ship that passed the port of St. George's and it passed too close to the harbour and they started to shoot. I remembered they took us blindfolded and they put us to lie down in a pit on the Fort, and then lined us up at the wall. I remembered hearing them say it was a mercenary boat. We got licks from the square back of the cell. The experience I had was very horrible, and every time I think about it, it causes me to get sick. The cut on my hand is from the bonnet from an AK gun, and I have a mark on my forehead."

Q: Commissioner: Did you recognize any of the people?

A: Witness: "I could remember one, I believe it was (xxx) who cut my hand. They called him (xxx). I think he was the one who cut Maurice Bishop's neck. It was a real sad time, and I couldn't believe people were so cruel."

Q: Commissioner: You got no medical attention?

A: Witness: "No. They were not studying you at that time. Those times you stayed there with blood on your skin. During the lunch time, to get something to eat, if the prison bake bread you would not get fresh bread, you will get the stale bread, and we got only two meals - morning and evening."

Q: Commissioner: You got any impression whether any of these people were taking drugs?

A: Witness: "When we were on the Fort, most of the army men were smoking marijuana in the open. At that stage when the Revolution took over, the police had no say. The army was in control. You could not tell them anything. One thing they made sure was that if any of the P.R.A. was supporting anybody in prison, they would beat them and disqualify them from the army. (x.x.x) who was from Gouyave, was a Lieutenant on the Fort. At one time, he turned and said, "Don't treat people like that, the Revolution is not about that". He was reported, and that morning when he came to work, they took his gun, brought him in the square and they beat him mercilessly and told him these are the people who he is supporting, and showed him us. I remained in prison for two (2) years and eleven (11) months."

Q: Commissioner: If they had nothing against you, why were they keeping you all this time?

A: Witness: "When the Revolution took place, all police officers were deemed "Gairy Police", so whether you did nothing, they just put you inside."

This witness said that when he was arrested, he was dismissed from his job as a police officer. He got no salary during his detention. "All detainees", he said, "Should have been compensated". This witness is seeking compensation.

Witness six:

Witness: "Stated his name and said, "I was born in the parish of St. John's. I was brought up in the parish of St. George's".

The witness continued. "A couple months before the revolution or coup of 1979, it seems to me that there was a political indifference based on class ... The rastas were not plotters in the Revolution, but were victims of all the Governments, especially the Eric Gairy Government. Because of rastas tradition of smoking herb and exalting African traditions and customs, they were persecuted for that... The night before the Revolution, there was a great rally at River Road in front of L.A. Purcell's place ... It was in the air even before the speeches that something was going to happen".

"The P.R.G. called upon the rastas to support the P.R.G.'s effort, and to take up arms with them. It was a promise that rastas will no longer be persecuted and that ganja will be legalized. It was made on radio on

March 13th, 1979 for the whole world to hear. The Revolution had very little support, but then there was a lot of propaganda on radio, and then the revolution started getting its support from the grass roots people, the rastas, and even non-rastas. When the overthrow was accomplished, the rastas helped remove police from the barracks, and other people in the community got involved. Then when the Government was being formed, the House of the Niabinghe realized that they were being cheated, because they formed a Government and no rastas were involved, and they even formed it behind the Rastafarian back who was the main fighting force behind the revolution. When the rastas started inquiring about this, then we realized the P.R.G. had tricked the people".

"... Many rastas were forced out of the P.R.A. because the P.R.G. had now established the class structure in the revolution, and they had formed an alliance with their communist friends ... Then the enemies of the revolution became the rastas ... Within five months of the revolution, the rastas were the enemies. A decree went out; made by Mr. (xxx) in one of their public sessions at People's Parliament ... A call was made to eliminate the rastas. It was in the minutes book. (xxx) said to detain 2000 rastas".

"... A Concentration camp was established in Hope Vale ... A rasta man died in the concentration camp and no one remembered him. They called it Hope Vale, but rastas called it Hope Fail. It was worse than the Nazi camp. Rastas were forced to work under gunpoint. They were so thin. Hot cocoa was poured down their throat, their locks were cut off, and many died. The wounds are still there and many became mentally sick and frustrated. No genuine compensation was given. Some can still hear the guns and feel the torture of the P.R.G. and no assistance was given".

Q: Commissioner: Do you have any idea about the others?

A: Witness: "Yes, but I could only testify about myself. I was shot on three occasions not because I was a thief, but because I was Rastafarian."

Q: Commissioner: Have you ever applied for compensation?

A: Witness: "Yes. There was a Claims Commission here and they tricked people. The Claims Commission said that they were a commission to heal wounds, but they deceived people. Some never received anything. I received something small and I gave thanks. The country is so class conscious, that the people who got the money were not those who felt the pain, only people of their class. The rastas at

Hope Vail went through a lot and it should be documented. The rastas suffered dearly in that time, and no one really paid attention to them."

Q: Commissioner: How are the rastas treated nowadays?

A: Witness: "The rastas are still persecuted. Their locks are cut off, they are sent in prison for one spliff ... There is no difference of treatment of rastas ... Compensation has never been addressed. No one has ever addressed the feelings. Some of the people need medical assistance, and some have shrapnel in their bodies killing them day and night, but I also believe that these people up there should be freed. As long as these people are not free, then the chapter is not closed. But there are a lot of things to address too."

Q: Commissioner: What are some of the things you feel should be done in Grenada to heal some of the wounds that people are still suffering and remember, and who should be doing these things?

A: Witness: "Since it was a political thing, I think they should release the people from Richmond Hill first. I feel that the people through this great persecution should be properly compensated and attended to medically."

The witness continued. "I have permanent scars that I got from my own people who wanted to kill I for what I did not know about ... I think they should give the people a good compensation because some of the people lost what they had ... The people who need medical treatment, special avenues should be opened for them, and I think that some of the families of the Americans who died should be visited. I think it was a great sacrifice for these people to come here. I never saw that as an invasion, but as a mercy assistance".

"I received seven AK bullets from the P.R.G. The first time I got shot I was brought up to Richmond Hill Prison on October 14th, 1979 after the rastas had a service at Victoria. I was kidnapped by the police ... I was brought into all the institutions of the P.R.G. I was detained twice by the P.R.G. First, I was detained and brought to Richmond Hill Prison, it was the 13th".

As regards compensation he received, this is what the witness said, "I went to a Claims Commission where I claimed \$55,000.00 for loss of employment, and they only gave I \$20,000.00. My point is, the wounds I got from the bullets, one circumcised I. I have shrapnel in my body, and years I have been taking antibiotics. I suffered terribly. I can't go to the Government and I can't go to anybody. Most of these things were Cuban

or Russian poisonous things. All my wounds I got were when I was a political prisoner. I got seven (7) AK bullets under my foot that mashed up my instep. I have a lot of shrapnel in my foot and it is really affecting me. Sometimes I can't even walk".

Q: Commissioner: Do you know the people who did all those things?

A: Witness: "Yes. The guy who shot me was (xxx) sent by (xxx) to shoot me. (xxx) knew I was the leader of the Rastafarian people."

Q: Commissioner: When were you released?

A: Witness: "When the Americans came. They are the ones that freed I."

Witness seven from Gouyave, St. John's, appeared before the Commission on February 5th, 2002. She came to the Commission on behalf of her husband who disappeared without a trace, on March 9th to 10th, 1981.

Witness: "On the morning of 9th to 10th March, 1981, around 6:00 a.m. someone came to my mother's house and said that they found my husband's car in White Gate on the side of the sea. My mother's house is in Gouyave. My husband and I went up to Gouyave on the Monday afternoon about 12:00 noon. While we were there, he left to come to St. George's around 4:00 p.m. I reached him as far as (xxx) by the Police Station and I went back home, and he went down the road. He stopped by a house that he was building, and apparently he stayed with the guys around there playing dominoes ...I heard it was about 10:00 p.m. when he left to go to St. George's.

On his way to St. George's, I heard he was stopped by one (xxx). He was one of the Prime Minister's bodyguards. He was taken into Pope Paul's Camp, which is today known as NEWLO. I learnt that there he was killed and his body was put in a fridge. I went down the morning to Pope Paul's Camp, and they said that we could not enter into the building, so I went down to the accident site. They were trying to push the car on a higher bank. They were trying to push it up the higher bank and you could have seen the impression. It couldn't go up the higher bank, so they drove it to the lower bank and put it down, but it was locked and everything in it was missing, and his body was not there".

Witness continued. "I went to the Grand Roy Police Station and they said they heard about the accident. I asked if they found my husband's body, they said "No". I asked them what has been done, they said, "Nothing". I went to the St. George's Police Station and they said they heard about the accident, but they could do nothing about it. I asked

them if they can do anything, they said, "No"... I got a friend of my husband's, one Mr. (xxx) ... and he got a wrecker for me. They came up and turned over my husband's car. Nothing was there except one of my husband's sandals.... He had some River Antoine rum, but only one bottle was found in the car, and a piece of someone's red shirt was stuck in the car".

"All the people there said my husband was killed and the body is in a freezer in Pope Paul's Camp. I asked when I was in St. George's if they could send a detective to Pope Paul's Camp to look for the body. I was told no, they could not do that. We had people there from all over the island coming because my husband was a popular man. Some came by bus, cars, and nobody was allowed to go to Pope Paul's Camp. On the Saturday I was told that one of the P.R.A. from St. George's camp in Morne Rouge - I think it was Camp Boney, a P.R.A. one (xxx) told me that they saw a body floating in the sea between Grand Roy and Gouyave. We rang my cousin (xxx) who helped arrange with the fishermen from Grand Roy and Gouyave to go out to fish for the body, and there was a man from the Carenage who said he saw the body. The fishermen told the fellow, if he saw the body why didn't he hook it and bring it in, so they did not believe him.

In the meantime, it was said that the body was buried somewhere in the Pope Paul's Camp. The people kept a vigil outside there for about two weeks, but nobody could have entered inside. We had two priests - catholic and Anglican, that came. They led a procession from Gouyave to Pope Paul's Camp". An inquiry was taking place after several persons had given evidence".

Q: Commissioner: When did the inquest start?

A: Witness: "I cannot remember the date that it started."

Q: Commissioner: What happened to the Magistrate?

A: Witness: "He was on the case. He was a Magistrate at Gouyave. He was taken out as Magistrate from Gouyave."

Q: Commissioner: Where exactly was the car found?

A: Witness: "It was found on a ledge just before Bain's property in White Gate."

Q: Commissioner: Who was in charge of Pope Paul's Camp when that happened?

A: Witness: "(xxx) was in charged of Pope Paul's Camp at the time, but I understand that she was not there at the time. The P.R.A. was also there at the time."

Q: Commissioner: What was happening at Pope Paul's Camp at the time?

A: Witness: "The P.R.A. had residence there as well as (xxx) and her staff."

Q: Commissioner: When was Mr. (xxx) taken off the inquest?

A: Witness: "I cannot remember the date, but it was sometime in 1981."

Q: Commissioner: You were represented at the inquest by whom?

A: Witness: "(xxx), he is a Barrister."

Q: Commissioner: What was your husband's profession?

A: Witness: "We had owned the BBC Night Club. We had come from England, and he was in the British Force. I heard people say that they thought he was sent by the CIA or by England to spy."

Q: Commissioner: Why was Mr. (xxx) taken off the case?

A: Witness: "I heard rumours that he was taken off the case because the Government did not want the case to go on, and nobody was put in his place."

Q: Commissioner: How long did the inquest go on?

A: Witness: "It started in 1981 and it continued, then we wrote to the Chief Justice."

Q: Commissioner: Who was the Chief Justice at the time?

A: Witness: "I think it was Mr. (xxx)."

Q: Commissioner: Any notes of evidence on the inquest as far as it proceeded?

A: Witness: "I should have gone to my solicitor for it. After that Mr. (xxx) took over."

Q: Commissioner: So Mr. (xxx) took over, what happened?

A: Witness: "Mr. (xxx) said he was going to try that case. We followed it up. There was a Commissioner from Trinidad that was here, and none of the Police Stations were giving help. Some Jamaicans came and did not get help, and they said they are not getting the help of the local police, so there is nothing they could do."

Witness continued. "It was said that a body was found in Pope Paul's Camp, and we went up there. We were told that, so we went to see, but when we got there, they said to us that there was no body found there. We asked the people who were training there, and they said no, they did

not know that. They said they heard that something dead was there. One boy called to us and said he cannot tell us his name, and after that we heard nothing about him. We went there and we could not get any information. They were digging a hole and then they stopped and started digging another hole, and what they told us was it was a donkey that was dug up, and they could not show us".

Q: Commissioner: Did Mr. (xxx) himself give evidence at the inquest?

A: Witness: "Yes."

Q: Commissioner: Nobody else who gave evidence say they saw what (xxx) did?

A: Witness: "No, but it was presumed by the people. However, (xxx) from Grand Roy testified that when he (xxx) struck my husband, he fell, and she became dizzy and did not know what happened afterwards."

Q: Commissioner: Where is she?

A: Witness: "(xxx) 'is in Canada'."

Q: Commissioner: So she was an eye witness?

A: Witness: "Yes."

Witness continued. "(xxx), I did not know him. One day he offered me a lift and he said his name was (xxx), and heard about my husband's death through his brother, and he said they killed him and there are a lot of people who know of his death at Pope Paul's Camp. He said that when he heard about that ... he could not eat for days. When we were in the court, I realized he was the same (xxx)".

Q: Commissioner: What did he say at the inquest?

A: Witness: "He said there was a fridge in Pope Paul's Camp and the fridge was not working and they called for one (xxx) to fix it."

Q: Commissioner: In actual fact, your husband was kidnapped, taken from his car and brought into the Camp?

A: Witness: "Yes, and one chap that had to give evidence, (xxx) or (xxx) from St. Lucia was working in the radio station; I believe he was sent away soon afterwards, because he knew what happened. A young fellow from Gouyave said he was coming up from St. George's with (xxx). He said when they reached by Palmiste, they saw my husband's car was in front and (xxx's) car behind."

Q: Commissioner: Was he around the scene or something?

A: Witness: "I heard he was around the scene. The young fellow said he was around the scene. The young fellow usually sold marijuana for people, and they usually lock him up in the station, but this time they

didn't do him anything, and he was told not to say anything. His name is (xxx). They did not take any statement from him."

Q: Commissioner: Where is he now?

A: Witness: "Maybe he is still in Gouyave, I don't know."

According to the witness, she once confronted a certain Mr. (xxx), who was one of the tutors at the camp and said "... Mr. (xxx), if you're a man of God ... and if they found a body, you should have gone to the police". He said, "The fridge was so stink that we could not stand the stench of it". And whatever he had put in the fridge to clean it, was the same scent that was there, it would not go away, so he told them to take it away, and he told me if I want to know anything, go in the police station."

Q: Commissioner: This was a religious seminary or something?

A: Witness: "It was a vocational camp for young men and women, and the Anglicans, Methodist and Catholics were responsible for it."

Q: Commissioner: How did the P.R.A. take it over?

A: Witness: "They took over whatever they wanted. Nobody could have stood in their way. If they wanted to have a P.R.A. camp, they just took it."

Q: Commissioner: Why do you think they did that to your husband?

A: Witness: "I do not know. Maybe we came down at the wrong time. I have heard people say that they thought he was sent by the CIA, and some said that (xxx) and my husband were with (xxx) and maybe they had some scramble over her, I don't know."

Q: Commissioner: Why the P.R.A. camp?

A: Witness: "My husband came from Gouyave and he had to pass the P.R.A. camp. They said (xxx) saw him up in Gouyave and followed him."

Q: Commissioner: What I find strange, is that when all those people came and were outside Pope Paul's Camp, if they had nothing to hide, why didn't they let the people in?

A: Witness: "They were not letting them in, and the detectives would not go in. Mr. (xxx) was one of the detective from Concord, and he said he could not go there."

Q: Commissioner: Did he say why he could not go in?

A: Witness: "He just said he could not go there. Everybody was telling him to open up the camp and search the fridge, but he said he could not do that. There was a guy called (xxx) who lived on the side of us. He was a mechanic and had my husband's fridge fixing for him ... I did not hear

the phone ring because of the noise, but I saw his wife came out, and he went in. He took his box of tools and went in his truck and he drove down the road. One woman who was living on the bridge ... called out to him, "(xxx), where you going with all this speed so?" and he drove off, so hence the reason why the boy said the fridge was not working at the time, but after it was repaired, because they got (xxx) to come and fix it for them that night."

Q: Commissioner: Do you know if the bones that they dug up were re-buried in the same spot?

A: Witness: "What they said is that the bones were in Gouyave Police Station. The Officer there said that they got some bones which were donkey bones. We asked him to show us the bones, and he said no. Everyday we went there, he said that the Sergeant is not there. The Sergeant's name, I think, was (xxx)."

Q: Commissioner: Do you know what happened to the donkey bones after that?

A: Witness: "No."

Q: Commissioner: Do you have a lawyer acting on your behalf?

A: Witness: "No. My lawyer is too old to act. He suffers from diabetes and he is unable."

Q: Commissioner: Do you know Mr. (xxx) personally?

A: Witness: "No. After we got a letter from the Church, we went to ask him if he could continue on the case for us, and he said he was not going to try that case."

Q: Commissioner: Up to when did your lawyer represent you?

A: Witness: "Up to 1989."

Witness eight appeared before the Commission on the 8th of February, 2002.

Witness: "From Tivoli, St. Andrew. The witness stated his name and said "on June 20th, 1980, a fellow by the name of (xxx) came to my home and told me Captain (xxx) wanted to talk to me. I accompanied him to Pearls Airport. When I reached the Airport, Captain (xxx) and (xxx) came to the car, and (xxx) told me to push my hand through the door of the car, and I asked him why. He opened the car door and he put a handcuff on my hands. Captain (xxx) came out of the car and put his hand

around my neck and told me let us walk. He asked me if I knew him and I told him I did.

He told me they sent him up here to clean up the mess, and unless they clean up the mess, they cannot go. I asked him what mess, and he told me I would know. (xxx) put handcuffs on my feet, and while standing there, he took about 3 or 4 steps back, took a speed, and kicked me in my back. I fell on the ground. There were some P.R.A. there, and when I fell, they started beating me on the ground. (xxx) stopped them and told them put me in the hut, so they moved me from the ground and put me in the hut. I remained there for about half an hour, then (xxx), (xxx), (xxx), (xxx), and (xxx) came up, and (xxx) asked them to bring him the rope. They brought a rope for him, and put me sit down on a board, supported by two blocks and an old engine iron. They stripped me naked, tied the rope round my waist and tied it to the engine. Then (xxx) asked one of them to bring the pepper water and the salt water for him. (xxx) then asked me if I knew how they butcher a pig. I told him yes. (xxx) and (xxx) held my legs apart. (xxx) stooped in front of me and he said, "If you do not die, you would never be able to take woman again. I said okay. He took one razor blade from the pack and sliced my balls. When he sliced it, I gave a jerk. When he sliced, (xxx) would pour the water. Afterwards, I did not feel anything, and they just continued to cut. They sliced me there about 3 or 4 times, and they left me there. Almost an hour after, they tied me to a picket on the ground outside. I stayed there for four days and four nights".

Q: Commissioner: Nothing to eat?

A: Witness: "(xxx) came and he kicked me in my mouth. Two teeth broke and two fell out. They even shoved a hot iron up my bottom. (xxx) came up there and took me and brought me to the medical center. I remained there for six months. From there, they took me up to the prison. (xxx) came and when he saw me, he told them do not bring me in the hospital because I was damaged too much, so Cuban doctors attended to me there. I spent three years and three months in prison. I remained there until 1983.

I was told that they had compensation, and a lot of people came for. I went to the Governor General and he told me that they have some compensation and I went. I claimed \$32,000.00. There was a case after I came from prison. I went to the Treasury and they told me that I did not have to come because a case was going on. They showed me a cheque, but they didn't give it to me. I did not get the money because during that time my case was going on. After a few years, I got \$4,000.00 on December 12th, 1997."

Q: Commissioner: What case was this?

A: Witness: "The case for what the police did to me. I have some documents. (The client then handed some documents to the Chairman of the T.R.C.)."

Q: Commissioner: Were you one of the witnesses in the trial?

A: Witness: "The Government had me as Crown Witness in the trial."

Q: Commissioner: What was your occupation?

A: Witness: "Farming."

Q: Commissioner: Why did they pick you up?

A: Witness: "I do not know. They came one day and told me I have to go to court. (xxx) was the magistrate at that time."

Q: Commissioner: Who was your lawyer?

A: Witness: (xxx). "He was the one who represented all the detainees. My case was thrown out because I had no one to represent me. They put me back in the prison after the case was finished."

According to the witness, he was brought to court in Grenville after one year in prison. The charge that was read to him was for withholding information.

Q: Commissioner: You did not hear anybody say after, why they picked you up?

A: Witness: "The (xxx) fellows were from Tivoli, and them and the Government had something. They came four or five times to ask me to join the militia, but I did not."

Q: Commissioner: Any of your friends were picked up?

A: Witness: "No, only me."

Q: Commissioner: Were your brothers P.R.A.

A: Witness: "Yes, just one."

Q: Commissioner: During the time he was a P.R.A. he never said anything as to why they picked you up?

A: Witness: "No. He was not there at the time. When he came home, they had already picked me up. He tried to find out and they never told him."

Q: Commissioner: Afterwards, you did not find out about the mess to be cleaned up?

A: Witness: "While I was in the prison, I tried to find out. I said I did not understand because I had no business in that."

Q: Commissioner: Even up to now, you have not heard anything as to why they picked you up?

A: Witness: "I did not want to go beyond that. I got the worst torture in Grenada. When I see how they treat me, people who got little torture walked out with so much, and I got so little."

Q: Commissioner: Your lawyer, Mr. (xxx) did not make a case on that?

A: Witness: "He joined politics."

Q: Commissioner: What happened to (xxx), (xxx), and (xxx)?

A: Witness: "They are outside. I have seen (xxx) in Grenville."

Q: Commissioner: What does he do?

A: Witness: "He ended up in prison after thieving money from people."

Q: Commissioner: And (xxx)?

A: Witness: "He was in Carriacou, but is back in Grenada. I saw him in St. George's."

Q: Commissioner: Do you speak to each other?

A: Witness: "Yes, only (xxx) hides when he sees me."

Q: Commissioner: What does (xxx) do?

A: Witness: "He drives a van or a tractor."

Q: Commissioner: Do you ever talk to (xxx) when you see him?

A: Witness: "Yes. He was the first one that came to me to talk to me at my home saying sorry for what he did, and asked me for forgiveness. I told him I have nothing against him. After that (xxx) and (xxx) came and talked to me."

Q: Commissioner: The only thing you have before us is the compensation.

A: Witness: "Yes. They promised me \$10,000.00 as a start, and they gave me \$4,000.00."

Q: Commissioner: When last you went to ask about the balance?

A: Witness: "We went back last year."

The same day that Mr. (xxx) came to the T.R.C. he went to the Treasury and was told that about two or three years ago, they took away the cheques, so there are no cheques for detainees.

Section 2:

ASSESSMENT OF EVIDENCE AND TESTIMONY OF WITNESSES:

It is quite evident from the testimonies and evidence of many of the persons who came to the T.R.C., that from the Gairy days right up to the demise of the revolution in 1983, some very serious atrocities were committed in Grenada. There were some violent and highly illegal conduct on the part of many individuals at high levels of authority. Some of those people literally terrorized Grenada and Grenadians.

There is a serious question that must be asked here, namely: Were some people's basic human rights violated during the period under review. Based on some of the treatment meted out to some persons at their detention and imprisonment, one may also ask: Were some people treated as guilty before their innocence was ascertained, rather than treated as innocent until proven guilty?

What is also evident, is that there are many people in Grenada today who bear marks of slaughter on their bodies, and who continue to have permanent physical, mental, and psychological scars and wounds. The pain, hurt, anguish, and agony are present in the lives of many.

Another thing that emerged from the testimonies and evidence of some witnesses, is that many persons who were detained and imprisoned, even tortured and brutally treated during the revolutionary period, were in fact supporters of the revolution in the beginning. Some even worked for the revolution, but were suspected or accused at some point of being counter revolutionaries and subversives plotting or collaborating with others to overthrow the revolution. In most, if not in all instances, falsely so.

Compensation was by far the most overwhelming concern of the majority of those who came before the T.R.C. Understandably so, because so many of those who suffered excruciating violence, and various forms of atrocities, loss of personal possessions, properties and even livelihood, were either not compensated at all, or not adequately and justly so. Some of the more serious cases demand re-visitation, with the possibility of providing adequate reparation and just compensation.

One thing is absolutely certain, that after all that were done and said, all is not well in Grenada - even today. As was said earlier in this report, reconciliation is not an option, but a must in Grenada. There are those

who have said that the T.R.C. will only open old wounds. But most wounds - whether physical, mental, or psychological - would never be healed until and unless they are exposed, uncovered, and dealt with, no matter how painful the process might be.

Those physical, mental, and psychological wounds are present in many Grenadians today at different levels. Some of them are overt and obvious, some are covert and not so obvious, but they are there.

The T.R.C. would like to suggest that the whole truth of what happened during the period under review, may never be known to this generation, but no lie lasts forever. The T.R.C. may not have discovered the whole truth regarding certain events of the period under review, because the Commission encountered many obstacles in pursuit of the truth, but the truth did not die with those who died, it will be known some day. More truth is yet to be known. There are those who know the truth but will not speak, who know what happened but will not come forward, and only the truth will stand the test of time, and set Grenada and Grenadians free.

Part 7:

OBSTACLES IN THE FUNCTIONING OF THE TRC

Section 1: Legal Obstacles

Amnesty and exemption from Prosecution of Witnesses

An important matter affecting the effective functioning of the Commission so far as eliciting the truth by taking evidence from witnesses was concerned was the awareness of witnesses and potential witnesses that their testimony was or would not immunise them from criminal prosecution if they said anything that showed, on the face of it, that they had committed a criminal offence, or that it was likely to incriminate them.

This apprehension was more real than speculative having regard to the knowledge that in the holding of its inquiry, the Commission was required, under its mandate and terms of reference, to conduct its proceedings in public and that there was no inherent power or other authority under the Commissions of Inquiry Act or any other statute or otherwise which enabled the Commission to exempt witnesses from the contingency of criminal prosecution, or to give them any assurance that they would not be prosecuted if they spoke of matters which attracted the likelihood of such prosecution; and having regard, also, to there being no provision in the laws of Grenada for a time limitation against prosecution for indictable offences.

It is true that witnesses who came or intended to come before the Commission to give evidence about acts they had committed for which they had previously been charged and convicted or acquitted, would have been protected by appropriate application of the doctrines of *autrefois* convict and *autrefois* acquit. But others could not lay claim to such protection.

It is the belief and understanding of the Commission that there are persons who might have made themselves available to appear before it and testify if they could have been given assurance of protection against prosecution; and that there were persons who appeared before the Commission and did give evidence, but were inhibited from speaking "the truth the whole truth and nothing but the truth" for fear of playing into the hands of the prosecuting authorities.

The Commission is of the opinion that similar considerations to the foregoing would apply to persons who chose to submit memoranda or other written communication in evidence to the Commission.

In this context it is of relevant regard to point out that as soon as the Commission became aware of the likely prevalence of this particular impediment getting into the way of its search for the truth, the Commission advised itself as to the meaning of "indemnity" and also requested clarification of paragraph two (2) of its Terms of Reference which stated "To recommend indemnity to various persons who give what is considered to be truthful evidence at the enquiry."

At a public outreach session on December 13, 2001 at Norton's Hall, Cathedral House, St. George's, several members of the public audience expressed queries and concern about this lack of legal protection, in the form of what they referred to as "amnesty" for persons who gave or wanted to give evidence before the Commission. As one participant put it - "People must be assured that if they give the truth, they would not be held liable."

In the end, the Commission was satisfied to accept that it did not have any power to grant amnesty, but if at all, could include in its recommendations in its report at the completion of the enquiry, that a particular witness or witnesses should be favourably considered for the grant of amnesty or exemption from prosecution. Indeed, the Government Minister of Labour who was assigned to be facilitator for the Commission opined at the same public session at Norton Hall, that indemnity in the context of paragraph 2 of the Commission's Terms of Reference "really means security against exemption from legal responsibility for one's action that may have been committed and testified about. This is one specific way in which the Commission can legally personalise its responsibility for action. The Terms of Reference also says to, make recommendations as the Commission sees fit in all the circumstances; and the reason why it was put in that form for the Commission to make recommendations, is that the Commission cannot grant indemnity or amnesty, whatever you may call it, because according to the Constitution, it's only the Director of Public Prosecutions that can really grant amnesty and indemnity, so after the Commission has heard evidence from various persons, if in truth and in fact they have been truthful, the Commission can make recommendations."

Under section 71 of the Constitution of Grenada (1983) the Director of Public Prosecutions has discretionary powers to institute and undertake criminal proceedings in any case in which he considers it desirable to do so, against any person before any court in respect of any offence alleged to have been committed by that person; to take over and continue any

such criminal proceedings that have been instituted or undertaken by any other person or authority and to discontinue at any stage before judgment is delivered any criminal proceedings instituted or undertaken by himself or any other person or authority.

It was therefore, in the opinion of the Commission, within the permitted powers of the Director of Public Prosecutions if he were properly advised, to give at least an undertaking not to prosecute in particular instances of witnesses who requested such protection, if he considered it desirable not to do so.

It does not seem desirable to extend the protection beyond the ambit of this discretionary undertaking into the granting of general amnesty; since to do so may send the wrong signal to all perpetrators of criminal atrocities during the period under inquiry (1976 to 1991) that they could cheat, with undeserving impunity, those institutional requisites of the criminal law system which are necessary for the preservation of law and order and the protection of human rights in a truly democratic society.

Such a grant of general amnesty could also provoke the sensitivities of relatives of victims and other persons affected by the criminal and human rights violations of the perpetrators.

Witness Protection

While not strictly a legal requirement, since the Grenada legal system does not provide for it, it might very well have been thought prudent also, while consideration was being given to a limited form of amnesty in terms above mentioned, to arrange for witness protection to be given to persons who asked for it, or whom the Commission was advised might reasonably require it. This could very well have encouraged persons who came to testify before the Commission to be more willing to speak the truth on some matters, and also make others who did not come forward, feel more secure if they did want to do so.

Legal Counsel to the Commission

Section 19 of the Commission of Inquiry Act Chapter 58 provides that "A barrister or solicitor whether appointed by the Attorney-General to assist the Commissioners or authorised by them to attend at an inquiry to represent a person, and any other person authorised by them to appear before them, may, so far as the Commissioners think proper, question a witness concerning matters relevant to the inquiry; while section 10 of the Act empowers the Commissioners to summon witnesses, call for the

production of documents and to examine witnesses and parties concerned on oath; ---."

During the course of its inquiry, the Commission did consider it important to summon certain witnesses to testify before it and to be examined by counsel and particularly in course of its sittings during April 22 to 26, 2002 and thereafter.

Accordingly, the Commission communicated through its secretary, a request to the honourable Attorney General for arrangements to be made for the appointment of legal counsel. But the honourable Attorney General declined to deal with the request on the ground that it being a matter with budgetary implications it should be directed to the Government Minister who was given charge of the Commission.

The previous and ensuing position was therefore, that from beginning to end the Commission did not have the benefit and assistance of Legal Counsel and could not effectively or at all exercise its coercive powers regarding the subpoena of witnesses and production of documents which it considered important requisites for helping its inquiry; albeit there being within the membership of the Commission, as constituted, a notable measure of legal learning and forensic competence.

Legal Counsel to the Commission would have served as a useful adjunct to the Commission and an active catalyst for facilitating the process of the inquiry and the work of the Commissioners.

Recommendation

The Commission is therefore pleased to recommend that careful attention be given to the above matters as prerequisite arrangements to be made in respect of providing for them, in any future establishment of similar Commissions of Inquiry.

SECTION 2

Administrative and Logistical Obstacles

From the very beginning of its work the Commission experienced some minor difficulties that threatened to affect its proper functioning, and which had some bearings on the timely completion of its report. Among those factors were:

- (1) The Commission did not have funds allocated to it to manage and dispense for conducting its requisite activities.
- (2) The governmental persons/agencies charged with the responsibility of attending to the needs of the Commission could have done more to ensure the adequate and effective functioning, of the Commission.
- (3) The Commission experienced that because of the apparent lack of sufficient publicity and public consultation prior to the commencement of, and during its work, it was deprived of valuable groundwork which should have been laid, and which could have paved the way for its being accorded a more propitious reception.
- (4) The Commission found that the moving of its Secretariat from one location to another during the course of its work; changes of secretaries and support staff at various stages of its work, contributed to much delay and disruption of its functioning.

PART 8

SOME MATTERS OF CONCERN THAT CAME TO THE ATTENTION OF THE T.R.C. DURING ITS INQUIRY

1. That many who held political power grossly misused and even abused their positions of authority and privileges with much contempt.
2. That many in authority totally disregarded the Constitution of Grenada and the rule of law.
3. That many in authority callously disregarded and disrespected the basic and fundamental human rights of many.
4. That during their arrest or detention, many persons were treated as guilty before their guilt was proven.
5. That physical and psychological brutality, including torture, were used by many in authority against their perceived opponents or enemies.
6. That there has been much political intolerance on the part of many who held political power for those who opposed them, or those who held a different political and socio-economic point of view, and those who opposed their method of leadership.
7. That the methods and policies of governance of many in political authority instilled fear and resentment in many citizens.
8. That there are many persons who have knowledge of the truth of certain events that happened during the period under review and who are either afraid, reluctant, or unwilling to come forward to say what they know.
9. That although many years have passed since some of the tragedies that occurred during the period under review, there are many individuals and families who continue to suffer physically, psychologically and emotionally, because of the hurts and wounds inflicted upon them and their loved ones.
10. That many innocent persons, especially during the revolutionary period (1979-1983), were summarily arrested, detained, imprisoned, in some instances for years without any just or truthful reasons.
11. That many who held political authority were not always truthful or honest with the nation in what they said or promised. And in many instances the nation was brambled and deceived.
12. That in October 1983, the then Prime Minister Maurice Bishop after being placed under house arrest, then freed by a number of citizens, went or was taken to Fort Rupert, and with other members of his regime, were in fact executed on the 19th October 1983.
13. That apart from those Government officials who were executed on Fort Rupert on October 19th 1983, many other persons lost their lives during or as a result of that tragedy.
14. That after the execution of Maurice Bishop and other members of his Government, their bodies were loaded on a truck, brought to Camp Calivigny, and burnt.
15. That the remains of the burnt bodies of Maurice Bishop and others were unearthed from Camp Calivigny, brought to the St. George's University Lab for identification, but, according to Dr. Robert Jordan, no trace of Maurice Bishop's remains were identifiable at the Lab.
16. That compensation remains a major issue even an obstacle to healing and reconciliation in Grenada.
17. That many persons were dismissive of the T.R.C., even at the very beginning, without waiting to see the work of the Commission. Some also questioned the motive on the part of those who established the T.R.C.
18. That healing and reconciliation in Grenada will remain elusive until and unless the whole truth of the major events that happened during the period under review is known.

PART 9

OTHER RELEVANT RECOMMENDATIONS

Based on the evidence and testimony of some of the persons who came before the Truth and Reconciliation Commission; its examination of relevant documents; the political events of the period under review; its own findings; and in the interest of healing and reconciliation in Grenada, the Truth and Reconciliation Commission wishes to make the following relevant and additional recommendations.

1. That this Commission's Report be made available for public information.
2. That the incumbent Governor-General of Grenada initiates the establishment of a National Reconciliation Council whose purpose and objective would be to facilitate and sustain the continuing process of healing and reconciliation in Grenada.
3. The Commission also recommends that the proposed National Reconciliation Council be as broad-based as possible, and may include the following:
 - Members of Government and Opposition Political parties
 - The Grenada Bar Association
 - The Conference of Churches Grenada and other religious bodies
 - Trade Unions
 - Youth Groups
 - NGO's
 - Any other person(s) or agency(ies) as the Governor-General may consider necessary.
4. That Governments must do all in their power to avoid all measures that would create disharmony, lead to citizens' dissatisfaction, or sow seeds of division, discontent and violence among the population.

5. That Government authorities, the judiciary, the police, other Government institutions and agencies, and all other public and private institutions must respect people's fundamental human and constitutional rights at all times.
6. In accordance with the principle of due process, when an individual or individuals are arrested or detained, they should be treated humanely; and should be treated as innocent until proven guilty.
7. There must be more tolerance for people of differing political views and opinions in society.
8. That the curriculum of schools include matters contained in the T.R.C's report that the relevant authority may consider necessary so that students of today and for generations to come may have knowledge of that aspect of their history.
9. That all Government officials and citizens of Grenada should familiarize themselves with the provisions of the several United Nations' instruments for the protection of Human Rights and Fundamental freedoms; the provisions of the Inter-American Convention of Human Rights; and the Grenada Constitution.
10. The T.R.C. also recommends that before setting up any Commission of inquiry-such as that of the T.R.C-the relevant authority should ensure greater public awareness of such Commission, and all appropriate machinery be put in place so that the Commission's work may be effectively done.
11. That successive Governments should engage in more political inclusion rather than political exclusion, thereby involving more citizens in the political process of the country.
12. That the relevant authority re-opens or commences an inquiry into the disappearance of the many Grenadians who went missing, as well as those who died under suspicious circumstances during the period under review. This may be done under the provisions of the Coroner's Act, the Commissions of Inquiry Act or other relevant legislation.

13. That the citizen of Grenada should be vigilant in choosing their political and other leaders. Such vigilance should involve proper scrutiny of the integrity, and the moral and social record of those who present themselves for positions of leadership and public trust; and ensure transparency and accountability on the part of all those who hold public office.

Part 10:

CONCLUDING STATEMENT

This enquiry has been concluded on the premise that Grenadians need to know the truth about the past in order to be reconciled presently and for the future. Knowing the truth for the purpose of reconciliation is not an option, but a must.

The period 1976-1991 is a significant chapter in the history of Grenada and truth is the basic ingredient that history is really made of. The political events of those years have created a sub-culture of fear, distrust and disharmony among many Grenadians; and these divisive elements must be dispelled if healing and reconciliation are to be achieved, and a peaceful and democratic society built on the ruins of the past, a past which must be purified in the hearts of the Grenadian people.

All governments, present and succeeding, should feel, and be obliged to respect the civil, political and social rights of citizens and the traditional lawful institutions of the Grenadian society; and all responsible representatives of the people must be committed to freeing posterity from the fetters of the past.

Several countries around the world have recognized the need to establish appropriate agencies for stimulating a process of healing and reconciliation in their troubled and fragmented societies, notably: South Africa, El Salvador, Rwanda, Ghana, Liberia, and others.

But it is to the unique credit of the Grenadian people that the Truth and Reconciliation Commission of Grenada is the first and so far the only of its kind in the Caribbean.

This historic initiative, and the consequences of this Commission's report, may well prove to be exemplary precedents for settling recurring and residual differences among the people of other countries within the region, and beyond.