ORAL ANSWERS TO QUESTIONS

GRAND'BAIE EXPLOSION ON 25.07.04 -
(i) FSL/FBI - PRELIMINARY REPORTS
(ii) HEAD OF SOCO - TRANSFER TO FSL

The Leader of the Opposition (Dr. N. Ramgoolam) (By Private Notice) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the explosion of Sunday 25 July 2004 in Grand'Baie, he will, for the benefit of the House, ascertain -

(a) if the Forensic Science Laboratory (FSL) found evidence of nitroglycerine or other explosive substances in the laboratory tests carried out;
(b) if the FSL concluded that such substance/s caused the high density detonation, and
(c) if Mrs M.-D., Head of the Scene of Crime Office (SOCO) was transferred from SOCO to FSL and, if so, who decided same, for what reasons and effective from which date.

The Prime Minister: Sir, I would wish to update the House on developments in regard to the explosion at Grand'Baie on Sunday 25 July 2004 whilst replying to the Private Notice Question of the hon. Leader of the Opposition.

On 28 July 2004, in an interim report, the Director and the Chief Forensic Scientist of the Forensic Science Laboratory informed that, I quote -
"Chemical analysis of swabbings on items collected from the site has revealed the presence of explosive residues, namely nitroglycerin (dynamite)"

They further added that their expert opinion was that the explosion, I quote again -

"was caused by a high intensity detonation involving the use of a high explosive."

They added that the official Forensic Report, which would still take some time, I quote again -

"will follow as soon as possible."

The official Forensic Report has not been received to date.
For their part, Mr Rex Stockham Supervisory Special Agent and Mr Ronald Kelly, Forensic Chemist of the US Federal Bureau of Investigation submitted on 04 August 2004 "Preliminary Results of Investigation" in which they stated that Preliminary Results of Investigation, I quote -

"indicate that no high explosive damage was observed on the structure or its contents within the explosion area."

They added that, I quote -

"Additionally, no secondary damage was observed on nearby structures that would indicate the high explosive detonation."

They concluded by stating that, I quote again -

"the resulting damage to the structure was caused by a fuel (gas)-air explosion"

They added that, I quote -

"However, due to the extent of damage, and the unsafe condition of the structure, it could not be determined how the fuel (gas) was introduced into the structure nor the exact sequence of ignition. Additionally, no determination could be made at present concerning whether the event was an accident, or the result of an intentional or negligent act."

In view of the conflicting preliminary reports from the Forensic Science Laboratory and the US Federal Bureau of Investigation, the Secretary for Home Affairs has written to the Acting Director of the Forensic Science Laboratory on 06 August 2004 requesting him to confirm as soon as possible whether the Forensic Science Laboratory still stood by its conclusion that the explosion had been caused by a high explosive. The Acting Director of the Forensic Science Laboratory was requested to preserve all swabbings and items collected on site for eventual further analysis and counter expertise. No reply from the Forensic Science Laboratory has been received as yet.

In the light of the reply of the Forensic Science Laboratory, a decision might be taken to have the counter expertise of the swabbings done in South Africa.

As regards part (c) of the question, the Head of the Scene of Crime Office is the Deputy Commissioner of Police in charge of crime. On 29 August 2002 Mrs M.-D. was posted to the Police Department to be responsible for the Scene of Crime Office. At that time her substantive post was that of Chief Forensic Science Officer at the Forensic Science Laboratory where she had been posted for some 20 years.

On 05 August 2004, the Commissioner of Police informed that the services of Mrs M.-D. were no longer required by his department. On the same day the Commissioner of Police wrote to Mrs M.-D. informing her that her services were no
longer required by the Police Department and that she should report back to the Forensic Science Laboratory as from 09 August 2004. The necessary handing over and taking over procedures are under way.

The decision to send back Mrs M.-D. to the Forensic Science Laboratory was taken jointly by the Secretary for Home Affairs and the Commissioner of Police and I was consulted.

Mr Deputy Speaker Sir, let me again remind the House that throughout the inquiries, all indications have been that there is no terrorism dimension to the Grand'Baie explosion.

Dr. Ramgoolam: Mr Deputy Speaker, Sir, since it appears that there are two conflicting reports, one from the FSL which talks of nitroglycerine and the other one from the FBI which says that probably there is a likelihood of the cause of the explosion to be gas, can I ask the Prime Minister whether the FBI has taken any swabbings to do any chemical analysis so that they can rule out any dynamite or whatever?

The Prime Minister: Well, it does not appear that there are two conflicting interim reports. Both reports are interim and they are conflicting. The FBI was given full latitude to carry out its inquiry as it felt necessary to do its job. They are professionals and experts and I must say that there have been all praise for the exemplary transparency in which all the inquiries have taken place. I repeat that they were left free to carry out their inquiry. I understand that they are experts who have been involved in different sites across the world.

Dr. Ramgoolam: I wanted to know if the FBI has done any chemical analysis, because the FSL has said that they have done chemical analysis and they have detected nitroglycerine. Has the FBI done any chemical analysis?

The Prime Minister: I can't say that. As I said, there is a preliminary report from the FBI experts. That preliminary report makes no reference to swabbings having been expertised. All I am saying is that the preliminary inquiry does not make reference to that which is not to be taken to mean that there was no such analysis of swabbings done.

Dr. Ramgoolam: The Prime Minister is saying that the FBI has done a preliminary report. Does that mean that they will come back and do a final report or will they send a final report at some stage?

The Prime Minister: As far as I am aware, they are not coming back, but after discussing with their colleague experts back home, they are to send a full and final report.

Dr. Ramgoolam: May I ask the hon. Prime Minister whether any other explosive substance or compound has been found?
The Prime Minister: I have given all information, Mr Deputy Speaker, Sir. I think the hon. Leader of the Opposition will acknowledge that normally when there is a Police inquiry still on, we refrain from giving information and from going into the details. Being given that this explosion at Grand' Baie was, unfortunately, an event of national dimension and being given implications in different ways, I have given all the information that I can give to the House, and today I have quoted at length from the two preliminary reports.

Dr. Ramgoolam: I agree, but it is 17 days ago that this happened. It is important that the population knows the truth. However much, as I said, even if we don't like to hear it, we need to know the truth. Can I ask the hon. Prime Minister if the FBI is following the line that it was in all likelihood a gas explosion, why did they want to take the list of foreign passengers or passengers who travelled to and from Mauritius for the last three months?

The Prime Minister: I have read that in the press, Mr Deputy Speaker, Sir, but I have not been provided with information to that effect.

Dr. Ramgoolam: Is the Prime Minister saying that this was not taken? Can he confirm whether the FBI did not ask for these lists?

The Prime Minister: No, I have only said that I have not been provided with information to that effect and I have not looked for such information. As I said, right from the beginning, all indications have been that there is no terrorism dimension to the explosion and the FBI experts' report points in the same direction.

Dr. Ramgoolam: Can the hon. Prime Minister confirm that none of the gas cylinders has exploded?

The Prime Minister: I have not read anything to the effect that any gas container or any gas cylinder, in any sense, has exploded. I am no expert, but I did point out last time that I was advised that you could have a gas explosion without the cylinder or container by whatever name having exploded.

Dr. Ramgoolam: When we elicit questions, it is not to apportion any kind of blame, but to find out the truth. Could the Prime Minister confirm to the House as to whether what they call the cuvée of gas was not closed until noon after the explosion and that 75% of gas was still present in those cylinders?

The Prime Minister: As I said, the preliminary reports from both the FBI experts and the Forensic Science Laboratory are very short; they are preliminary reports. In either of them, I have not read any reference to what the hon. Leader of the Opposition has referred to.

Dr. Ramgoolam: Can the hon. Prime Minister tell the House whether the gas cylinders have been secured in Police custody?
The Prime Minister: Yes.

Dr. Ramgoolam: Can I ask the hon. Prime Minister to ensure whether this is so? Because our information is that it is not so. Our information is that it has left the premises of the Police custody and it is now lying somewhere else. I am just asking the Prime Minister to look into the matter because that is the information that we have.

The Prime Minister: I have no information to that effect. I shall countercheck, but I am sure that the Commissioner of Police and his officers have taken all due precautions.

Dr. Ramgoolam: The Prime Minister has been full of praise for the FSL, that they are doing a fantastic job and they have a reputation for excellent work in the past, and they have a track record. Can he say why should we have a second opinion on the swabbings if they have detected nitroglycerine by chemical analysis? What is the reason for this?

The Prime Minister: I have replied, Mr Deputy Speaker, Sir. I must say why reference is made to the Ag. Director. I said that an interim report had been submitted on 28 July 2004 by the Director and the Chief Forensic Scientist whereas later on I did inform the House that in view of the conflicting preliminary reports, the Ag. Director of the Forensic Science Laboratory had been requested on 06 August to confirm, as soon as possible, whether the Forensic Science Laboratory still stood by its conclusion. Why in the second case I make reference to the Ag. Director is that in the meantime the Director had left on mission overseas. So, since we did not want to waste any time or to wait for the return of the Director, the letter was addressed to the Ag. Director and I repeat we requested him to confirm, as soon as possible, whether the Forensic Science Laboratory still stood by its conclusions. What led us to take that decision is that we understand that the Forensic Science Laboratory experts had lengthy discussions with the FBI experts and shared a lot of experience. So, we wanted confirmation that after those discussions that they still stood by their conclusions and we left open the possibility of further analysis and counter expertise, because, as the hon. Leader of the Opposition is saying, we all want to know the truth. We are in presence of two preliminary reports. We wish to have the full and final reports from both ends as soon as possible. Then, we will do all that is required to move on and finally know the whole truth about the incident.

Dr. Ramgoolam: Can I ask the Prime Minister whether, therefore, there will be a second final report from the FSL?

The Prime Minister: There is no second final report. There has been no final report. There has been, I repeat, two preliminary reports and we had been promised, in the words of the Director of the Forensic Science Laboratory, on 28 July an official - I use their own words - forensic report as soon as possible. And on the FBI side also, we are expecting a full and final report.
Dr. Ramgoolam: Can I ask the Prime Minister whether he does not think it gives the wrong signal when a major investigation like this is still going on that there is the transfer of Mrs M.-D. from SOCO to the FSL? Does that not give the impression that there is something that is not going right?

The Prime Minister: Not at all given the reasons why she has been transferred back to where the lady had been working for some 20 years. And I did say that it was a joint decision by the Commissioner of Police and the Secretary for Home Affairs and that I had been consulted. I must say I raised no objections to that, because I had my own reasons not to raise any objections. I acknowledged the reasons put forward by the Commissioner of Police and the Secretary for Home Affairs and for my own reasons I did not object to her transfer back to the Forensic Science Laboratory.

Dr. Ramgoolam: Does the Prime Minister not agree that it gives the wrong signal as a major investigation like this is going on, suddenly, you see somebody being transferred back to FSL where she belonged first? Why should that suddenly happen? Why should we not wait for the investigation to have finished and then to have whatever transfer needed to be done?

The Prime Minister: Mr Deputy Speaker, Sir, the wrong signal, as far as I am concerned, was for somebody who was posted at the Scene of Crime Office to make statements in the press on behalf of the Forensic Science Laboratory, whilst being on secondment to the Scene of Crime Office in the Police. I repeat: The Secretary for Home Affairs and the Commissioner of Police did inform the lady that her services were no longer necessary at the Police Department, that she had done her job, and for that reason, which I have just put forward, and other reasons, I did not object to her transfer back to the Forensic Science Laboratory.

Dr. Ramgoolam: I thank the hon. Prime Minister for being up to a point clear on this, but he has not said what 'other reasons'. We would like to know what are the 'other reasons', if he can tell the House. Now, it is clear, therefore, that it was a punitive transfer.

The Prime Minister: Not at all, Mr Deputy Speaker, Sir. Not at all punitive!

I repeat: The Secretary for Home Affairs and the Commissioner of Police had come to the conclusion that her job was done at the Police Department.

I repeat what they said, Mr Deputy Speaker, Sir -

"(....) and that her services were no longer required by the Police Department."

I have said that, for my own reasons, I did not object to that transfer, which was not punitive, being given the reasons put forward by both the Commissioner of Police and the Secretary for Home Affairs.
**Dr. Ramgoolam:** I thought the hon. Prime Minister has just said that, one of the reasons she has been transferred was that she was making comments while she was there. Is that not so?

*(Interruptions)*

**The Prime Minister:** I did not say that. I speak precise English. I said, and I repeat, that the Secretary for Home Affairs and the Commissioner of Police had come to the conclusion - as I stated - that the services of that lady were no longer required in the Police Department and that, I did not raise any objection for my own reasons. She was not transferred, because of statements made in the press.

*(Interruptions)*

Good note or bad note was taken of those statements, but they were not the cause for her transfer back to the Forensic Science Laboratory.

**Dr. Ramgoolam:** Mr Deputy Speaker, Sir, it is clear that the Prime Minister, now, is trying to say something else. Clearly, he had said that he has taken good note or bad note of what she had said, and then overnight she is transferred; her services are not required. If that is not punitive treatment, I don't know what is the definition of 'punitive treatment' then!

**The Prime Minister:** If the hon. Leader of the Opposition finds it in order, that whilst we receive a preliminary report from the Director, and the Chief Forensic Science Laboratory while submitting an interim report, they provide also the information that the official forensic report would follow, they are informed that we expect that as soon as possible, and that lady, whilst being at the Police Department, makes comments in the press on that final report that we are expecting. I don't find that in order, honestly. That is why, I repeat, when the Secretary for Home Affairs and the Commissioner of Police came with the view that her services were no longer required in the Police Department, I did not object to the decision, which they had jointly taken for the reasons given.

**Mr Dulloo:** I understand that the lady, Mrs M.-D, had been transferred to the FSL as from yesterday. May we know from the hon. Prime Minister in which capacity she is transferred there and what would be her responsibilities in the post to be occupied by her?

**The Prime Minister:** I replied before the hon. Member came - as usual late - to the House.

**Mr Dulloo:** I would better not comment on this, Mr Deputy Speaker, Sir. The hon. Prime Minister just said that there were discussions going on between the FBI, the FSL and the Police. May I know whether the Police and the FSL and the FBI operated separately and that there was no joint operation even on the swabbings and samples that were taken?
The Prime Minister: On many occasions, I have made references to inquiries. All the information have been provided with show that there were two inquiries; one, by the Mauritian experts, the Forensic Science Laboratory and the Police, and the other by the US FBI agents. But, I also did point out that they discussed at length and that the US FBI experts thanked the Mauritian authorities for the total transparency in which all this took place, and also for the freedom to carry out their investigation which they were given.

Dr. Boolell: Can I ask the hon. Prime Minister whether the swabbings taken from the exhibit by the FBI were sent to the Forensic Science Laboratory?

The Prime Minister: Of course, they must have been! Otherwise, where would the FSL carry out those chemical analysis?

Mr Hurnam: Mr Deputy Speaker, Sir, I have two questions. In his first reply to the House, the hon. Prime Minister mentioned, I quote -

"(…)…that is why I mentioned cooking and other gases. At this stage, we are not excluding anything."

Can I ask whether, now, at preliminary stage, there are only cooking or other gases?

The Prime Minister: I have quoted at length, Mr Deputy Speaker, Sir, from both preliminary reports. I think the hon. Member was not yet with us. Let me quote again from the preliminary report from the FBI agents.

I'll quote three paragraphs. First, indicate their preliminary investigation -

"(…) indicate that no high explosive damage was observed on the structure or its contents within the explosion area."

Secondly, I quote -

"(…) no secondary damage was observed on nearby structures that would indicate the high explosive detonation."

And, thirdly, their conclusion that -

"(…) the resulting damage to the structure was caused by a fuel (gas)-air explosion."

These are the findings of the FBI agents.

Dr. Boolell: Mr Deputy Speaker, Sir, let me come back to this issue of swabbings, which were taken from the exhibit. Can I ask the hon. Prime Minister
whether the swabbings taken by the FBI from the exhibit were sent to the Forensic Science Laboratory?

**The Prime Minister:** I have never said, and I have no information to the effect that the FBI took swabbings from the exhibit. I have absolutely no evidence of that. All I quoted does not make any reference to that. What I said earlier is that, it is clear that the experts from the FSL took swabbings, carried out a chemical analysis of those swabbings, and came to the conclusion to which they came.

I quoted nearly from the first word to the last word the interim report from the FBI experts, and therein, no reference is made to their collecting swabbings, or to their having carried out a chemical analysis. There is no reference therein, but that does not mean to say that they have not done so. We shall probably have to wait for the final and full report to know more.

**Mr Dulloo:** I think the hon. Prime Minister is confirming that the FBI did not take any samples or swabbings for analysis. But, our question is....

**The Prime Minister:** On a point of order, Mr Deputy Speaker, Sir, I took great care to make clear that I am not saying that they have not taken any swabbings or carried out any chemical analysis. I am saying that there is no mention of that in the preliminary reports, but it does not include that they have done it. As I have said, we'll have to wait for the full and final report to know more.

**Mr Dulloo:** The hon. Prime Minister should be aware that, as a result of the explosion, a lot of debris were scattered, even causing damage to some buildings, but this had already been cleared before the arrival of the FBI. Now, we have heard that the extent of damage to neighbouring buildings led to certain conclusions. May I ask him whether the attention of the FBI officers was drawn to all those various places where the debris were scattered and to the damages caused to some houses? Huge masses of blocks entered some neighbouring shops.

**The Prime Minister:** Mr Deputy Speaker, Sir, not only were the FBI experts given all the information that they required, but they did their work by themselves. As I said, from the information I have, they are real experts that have been on sites of explosion across the world and, in some cases, much much bigger explosions. They carried out their inquiry the way they thought it should be done. There were no restrictions placed on the way they carried out their investigations.

**Mr Dulloo:** The hon. Prime Minister just confirmed that he has read in the press that the FBI asked for the list of passengers for the past three months....

**The Prime Minister:** I did not say that again, Mr Deputy Speaker, Sir. I said that I have read that in the press, but I am not in presence of such information apart from the press.
**Mr Dulloo:** The hon. Prime Minister read in the press to the effect that the FBI asked for a list of passengers for the past three months. May I ask him whether he immediately, as Minister of Interior, gave instructions that this information be checked and whether he has received any report as to whether this is a fact or not? Can we know whether this information has been cross-checked?

**The Prime Minister:** There are reasons why I have not done that.

**Dr. Ramgoolam:** I have a couple of questions. First of all, from the way the FBI has been behaving it is as if they were independent of the Police. Can we say, therefore, whether they are independent or are they acting under the Police instructions? Did the FBI carry out the investigation in parallel or was the local Police in control?

**The Prime Minister:** The official inquiry was done by our Police Force and the Forensic Science Laboratory. On the 27 whilst replying to a PNQ, I did point out that the line of command remained firmly in Mauritian hands. This said, we gave all latitude to the FBI experts to carry out their inquiry. In that sense, yes, there were two inquiries - that is why I used the plural right through - but the Mauritius Police, the Forensic Science Laboratory and the FBI experts discussed and exchanged experience and views as often as they felt necessary.

**Dr. Ramgoolam:** The FBI is saying, from what I heard the hon. Prime Minister say, that there was no secondary damage although there are different interpretations on that. For most people, it is clear that there has been secondary damage, because secondary damage is what we have after the primary site of explosion. Can I ask the Prime Minister, in the name....

**The Prime Minister:** That is another question. I never said that no secondary damage was observed. I repeat what I said and I've quoted them: No secondary damage was observed on nearby structures that would indicate a high explosive detonation'. Of course, secondary damage has been observed in the area, but they concluded that whatever secondary damage was observed on nearby structures did not indicate a high explosive detonation. And then they come to that conclusion of theirs that the resulting damage to the structure was caused by a fuel (gas) air explosion.

**The Deputy Speaker:** I'll allow you one more question.

**Dr. Ramgoolam:** One last supplementary question, Mr Deputy Speaker, Sir. While we all wish and hope that it is an accident and no other element is involved, we have the responsibility of telling the truth as the Prime Minister, himself, said. Can I ask the Prime Minister whether he will lay all the reports on the Table of the Assembly when he will get them or if he feels that this cannot be done, then, at least, let the Leader of the Opposition have access to these reports?

**The Prime Minister:** I think it is the first time in our history that whilst a Police inquiry is ongoing, so much information has been provided to the population through the
House here and through the three PNQs put by the hon. Leader of the Opposition. Such transparency will remain the order of the day, Mr Deputy Speaker, Sir. At this stage, it is clear that there is no terrorism dimension to this explosion and that is very good for Mauritius. Whether the explosion that did take place, was accidental or criminal remains to be fully concluded upon. Let us wait for the two full and final reports and whatever further steps have to be taken in continued transparency will be taken.

**Dr. Ramgoolam:** May I ask a clarification, Mr Deputy Speaker, Sir? Will the Prime Minister finally, in the name of transparency, lay the reports on the Table of the Assembly? That was my question.

**The Prime Minister:** We might do even more than that. We want to know what has taken place. All of us want to know what has taken place. If we can, through further analysis, counter expertise, further examination of the full and final reports and so on, see whether it was accidental or criminal. We all want to know the truth. Therefore, not only will full transparency prevail, but we might be called upon to take other steps if sufficient progress is not made in establishing whether it was accidental or criminal. We will leave no stone, if that is the case, or any piece of rubble unturned to establish the whole truth.