

PART 3

MR. DZIEKANSKI'S TRIP TO CANADA

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PART 3: MR. DZIEKANSKI'S TRIP TO CANADA

A. PREPARATION FOR HIS TRIP

Robert Dziekanski was born in Bielawa, Poland, in 1967. He lived his entire life in Poland. After his mother, Zofia Cisowski, immigrated to Canada and settled in Kamloops, British Columbia, he made the decision in late 2007 to do so as well.

I heard evidence by video conference from four acquaintances and neighbours of Mr. Dziekanski, who live in Gliwice, Poland, a city of approximately 200,000, which is part of a metropolitan area around Katowice of approximately 2 million in southern Poland.

Iwona Kosowska has an apartment in the same building in which Mr. Dziekanski and his mother lived. She had known him for at least 20 years. She told me that Mr. Dziekanski was trained as a typesetter, but did jobs as a handyman before leaving for Canada. His great passion was geography. He had atlases of Canada and was excited about immigrating to, and travelling around, Canada. He was healthy, not taking any prescription drugs, smoked about 10 cigarettes a day (up to about 20 a day before his flight), and was a social drinker – he did not have a drinking problem and she had never seen him drunk. This would be his first flight, and he was nervous. He was concerned about turbulence and about speaking no languages other than Polish. Because of his nervousness, he had not slept for 48 hours before his flight. He was originally scheduled to travel two weeks earlier; she thought he may have changed his booking because of his nervousness. Mr. Dziekanski had bought a cell phone and had agreed to phone her after arriving in Vancouver and meeting his mother. In her opinion he was not an aggressive man, and he was not acting aggressively in the Pritchard video – “he was a helpless person begging for help.”¹³ She had never seen him act in the manner depicted in the video, and attributed his behaviour to being in a foreign country without knowing the language, not having a cigarette or water, and no one helping him.

¹³ Transcript, March 30, 2009, p. 19.

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Magda Czelwinska lives several blocks from Mr. Dziekanski's apartment, and had known him for at least 20 years. She would see him several times a week, often while she was walking her grandchild to school. He was a normal, healthy young man, always happy and joyful. He painted her apartment, and when she received her twice-yearly coal supplies, he helped her put the coal away. He was excited about moving to Canada ("where there is milk and honey"). He loved his mother very much and was going to quit smoking as a surprise for her. He did not expect to have to communicate with Canadian officials, because he was under the impression that he would meet with his mother right away. She last saw him about three days before he left, and she did not see anything unusual about him. His only concern was whether he would be able to take with him all his books about Canada. She agreed that the Pritchard video of him smashing a wooden table against glass and throwing a computer on the ground was out of character. She had never seen him in this upset state, adding:

... [O]ne shouldn't be surprised because he was on the airport for ten hours, deprived of water and he didn't have cigarettes because he just quit smoking to surprise his mom.¹⁴

Ryszard Krasinski lived near Mr. Dziekanski and had known him for about 10 years. They met quite often while gardening and for social occasions such as birthdays and barbecues. They played chess and bridge together, and before leaving for Canada, Mr. Dziekanski gave him a portable chess board as a gift. Mr. Dziekanski had a huge collection of atlases and other geographical material – he had a very deep knowledge of geography. Mr. Dziekanski would have known Russian as well as Polish, because it was mandatory in school. He may have taken excursions to neighbouring countries such as Ukraine, Slovakia, and Germany. Mr. Dziekanski was a good tradesman (painting and installing tiles) and planned to open a contracting business in Canada after learning English. He was physically fit and a social drinker. He had never seen Mr. Dziekanski breaking other people's property, as shown on the Pritchard video.

¹⁴ Transcript, March 31, 2009, p. 6.

Several months before Mr. Dziekanski's departure, Robert Dylski had agreed to drive him to the airport. The afternoon and evening before he left, Mr. Dziekanski got progressively more upset and nervous. When Mr. Dylski came to pick him up at just before four in the morning to go to the airport, Mr. Dziekanski was on speakerphone with his mother in Canada. He was quite hesitant and opposing his trip to Canada and Ms. Cisowski was trying to convince him to come. According to Mr. Dylski:

A So at this point he decided not to go, completely, but we all tried to convince him to go.

Q And how was Mr. Dziekanski acting physically at that time?

A Yeah, that was a very, very high panic that he was in because he never flew a plane and he was afraid of flying a plane. Yeah. And then everything he was talking about was related to his fear of flying.

Q And we understand that Mr. Dziekanski was shaking and perhaps vomiting at that time?

A Yeah. He was shaking for sure and he was holding onto a radiator — heat radiator And he was probably throwing up in my car. Yeah. If he didn't vomit in my car, we had a little bucket, but I cannot recall right now exactly what happened. Now I cannot remember whether he was vomiting at home or he was complaining about being dizzy, and that's why we took the bucket with us.¹⁵

He told me that Mr. Dziekanski held onto the radiator for 20 minutes — it was a panic attack because he was afraid of flying. He had never seen Mr. Dziekanski in this state before. However, once Mr. Dziekanski got into the car he was very calm and did not talk. He remained calm at the airport; he went to the bathroom and had a soft drink. Mr. Dziekanski had a cell phone, and they agreed that he would phone them a day or two after settling in with his mother in Canada. He told me that he had seen the Pritchard video, but had never seen Mr. Dziekanski act that way before.¹⁶

¹⁵ Transcript, April 2, 2009, p. 5.

¹⁶ Aneta Czernel gave a similar account in a June 24, 2008, interview (Exhibit 119). See also the interview of Wojciech Dibon, dated June 24, 2008 (Exhibit 120).

B. FLIGHTS

1. Katowice, Poland, to Frankfurt, Germany

On October 13, 2007, Robert Dziekanski left Poland on the first leg of his trip to Vancouver, BC. Lufthansa Airlines Flight 3297, a Boeing 737, departed Katowice, Poland, at 6:20 a.m. local time, and arrived at Frankfurt, Germany, about an hour later. Poland and Germany are both nine hours ahead of Vancouver.

Jesus Fernandez Gonzales, the chief flight attendant (purser) testified by teleconference from Germany, through an interpreter. Before takeoff he discovered that the number of passengers sitting in business class was incorrect. He identified one passenger who had an economy class ticket, but the passenger did not understand English. Mr. Gonzales contacted the ramp agent, who acted as an interpreter. When he explained to the passenger that he had to move to the economy section, the passenger appeared a little bit astonished, not seeming to understand that he was sitting in the wrong place. The passenger agreed to move to the economy section and did so.

While talking to this passenger, Mr. Gonzales smelled a little bit of alcohol on his breath. He explained to the passenger that, in accordance with company policy, he would not be served any alcohol on the flight. When asked if that was okay, the passenger said it was. Mr. Gonzales also advised him not to consume any alcohol while in transit at Frankfurt, or he might not be allowed to board his flight to Vancouver. The passenger agreed.

There was nothing else about the passenger's behaviour that Mr. Gonzales noticed — he was calm and behaved normally. He knows that the passenger did not drink any alcohol during the flight, but could not say whether he ate or slept. No other flight attendants reported any problems to him. Everything went normally during disembarkation at Frankfurt.

Although Mr. Gonzales did not know this passenger's name, and could not recall his appearance or clothing, I am satisfied that he was describing Mr. Dziekanski.

2. Frankfurt to Vancouver

Mr. Dziekanski left Frankfurt at about midday local time, on Condor Air, a Boeing 767. The flight to Vancouver was approximately 10 hours.

Adolf Buettner, the Condor Air purser, testified by teleconference. He greeted passengers as they boarded the flight, in German and English. Mr. Dziekanski did not react when Mr. Buettner greeted him, and Mr. Buettner noticed that he was sweating a little bit. Mr. Dziekanski initially sat in Row 34, but after the doors were closed he moved forward to Row 18. There were no problems or trouble with any passengers during the flight, or when they left the aircraft in Vancouver. He could not say whether Mr. Dziekanski drank any alcohol during the flight, and he was not told not to serve alcohol to any passenger.

After Mr. Dziekanski's death, Mr. Buettner gave a statement to a Condor Air duty cabin manager, in which he stated:

He [i.e., Mr. Dziekanski] was slightly sweating and had glistening eyes. After consulting with the other colleagues, we assumed that he probably left a lot behind and would start new in Canada. The glassy eyes were rather indicated as a keeping back of emotions, as well as his agitation. Due to the language barrier we could not ask him and it did not seem that we would have success in doing so.

After the doors of the aircraft were closed, the passenger moved from row 34 to row 18. He did not seem agitated. Rather he seemed a little bit helpless. At no time was he aggressive and he was very polite and thankful toward the crew.¹⁷

Christiane Hewer, another passenger on the Condor Air flight, remembered that the flight was only one-quarter full. Before takeoff, everybody spread through the aircraft. Mr. Dziekanski was sitting about eight to ten feet away from her, one or two rows ahead, by the right window. She noticed him from time to time during the flight.

¹⁷ Transcript, January 19, 2009, p. 39.

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He watched a movie, slept a lot, was totally calm, did not attract attention, and was totally inconspicuous. There were no problems whatsoever during the flight. She did not get close enough to Mr. Dziekanski to tell whether there was a smell of alcohol on his breath. She did not keep track of whether he ate or drank during the flight.

C. FINDINGS OF FACT AND CONCLUSIONS

Based on this evidence, it is clear that Mr. Dziekanski was excited about immigrating to Canada, but at the same time was anxious about flying to Vancouver – it would be his first flight. It appears that he rescheduled his flight once because of nervousness, and might have cancelled his trip entirely except for his mother's phone conversation with him shortly before his departure. His holding on to a heat radiator in the apartment and his shaking and dizziness suggest that at times he was in a panicky state.

However, once he began the drive to the airport he settled down, and his behaviour on both flights appears to have been uneventful. Although he was sweating and had glistening eyes, he was calm and behaved normally. One witness told me that he smelled a little bit of alcohol on Mr. Dziekanski's breath, but there is no evidence that he consumed alcohol during the trip. On the long flight from Frankfurt to Vancouver, another passenger observed that Mr. Dziekanski slept a lot, and was otherwise totally inconspicuous.