



Voices from the Rwanda Tribunal

Official Transcript: Alessandro Caldarone (Full Interview)



Role:	Senior Officer of External Relations
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Interviewers:	Lisa P. Nathan Donald J Horowitz
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Interpreter:	None

Interview Summary

Alessandro Caldarone compares his experiences at the ICTR with his time at the EU-Human Rights Mission in Rwanda providing technical assistance. Caldarone reflects on a personal eye-opening moment during the defense of accused genocidaires when he realized that the perpetrators were not monsters but human beings. He questions the concept of 'victim' in the Rwandan context where everybody is, in some sense, victimized. He also suggests that the ICTR should be considered an extension of Rwandan justice.

The transcript of the interview begins on the following page.

Part 1

- 00:00** Lisa P. Nathan: My name is Lisa Nathan. I'm from the Information School at the University of Washington and I'd like to thank you so much for your time today. And to begin, I would like you to say your name and you, where you're from, your home country and then your title here at the ICTR.
- 00:18** Thank you to you. It's my pleasure to be here with you. My name is Alessandro Caldarone. I am Senior External Relations Officer and adviser to the Chief of External Relation Strategic Planning Section in the tribunal, ICTR. And I am here since 1997.
- 00:39** LPN: And your home country?
- 00:40** Ah – is Italy. I'm Italian. I thought with my accent you would recognize immediately, so yeah.
- 00:47** LPN: So, can you give me sort of a, in brief the, the year that you started? You just mentioned it, but to re-state when you started at the ICTR and what different roles you have had; not a long description but sort of the titles of the different jobs you've had up until today.
- 01:06** Yeah. I started working in ICTR in 1996, March 1996. Before that experience, I was in the Human Rights Mission in Rwanda in 1995, so I started in '96 in ICTR as a legal officer at, at the Office of the Prosecutor. After a couple of months, I became the Chief of External and Internal Relations of the Office of the, of the Prosecutor in, in Kigali. At that time, it was quite difficult situation in all aspects.
- 01:44** Afterwards, I came to Arusha and I was the Chief of the Press during few months, but I didn't really like much to be in charge of the press. And I was dealing mainly with the Rwandese. At that time was Bocar Sy, I think he's somebody who is a chief now and so Bocar was dealing with all the journalist because he is a journalist.
- 02:09** And me, I was dealing more with the Rwandese because I believe that I was in Rwanda, and I saw what I saw, and so it was important for me to keep this contact with Rwanda because ICTR is for the Rwandese.
- 02:24** And after a few months in July 1997, I was requested to become the Chief of, the, the OIC, the Officer in Charge of the section of Lawyers and Detention Facility Management Section. The post was published and I got it so I became the chief of that section during about six years.
- 02:46** And it was very, very stressful because it was a lot of work. I was, at the beginning, I was alone. And, and after that – and now I am in, in, in the External Relations Section, yeah.

02:58 LPN: Thank you. Can you, I'd like to go back in time a bit to 1994, the spring of 1994. Can you tell me where you were at that time?

03:10 Yeah, at that time I was in South Africa. I was for the election and so I was, I was there. And I remember like it was yesterday that I put on the television and I saw crimes going on. And, at that time, honestly I, I didn't know exactly where Rwanda was. I have to admit it, you know. And I didn't know almost anything about that country.

03:40 And it was quite strange because I was a few kilometers from that country but I was, you know, with my background, European and I, I, I studied also in Canada and so on – so I saw at the television and I continued my life. And I went ahead and I went to Italy. And that is how I learned it, on the television like that.

04:05 LPN: How did you come to then go to Rwanda? How did that come about?

04:11 What happened is, is really a coincidence. I sent my application to – I don't even remember exactly. I think I, I, I knew somebody in the Eu-, European Union and I was discussing with him and they told me about a human rights mission in Rwanda, and, and I remember December of that year the (___), at the Italian television a show with a Rwandan music.

04:38 And at that time I didn't recognize it because I didn't know anything about Rwanda. So but after some time, I watched the movie and it was the Rwandese, you know, the typical dance of "ta-ta-tan," the typical music is, is just beautiful.

04:53 And – so is a coincidence because after few months, I went to Rwanda as Deputy Coordinator of the First Human Rights Mission organized by the European Union. And I was the number two of that mission.

05:07 And so I arrived there. I didn't know anything about the history of Rwanda but the, the, you know, the, the, the experience I had, the human experience was so unbelievable. It was so strong. I remember I, I read everything on Rwanda; all the books, even I bought books on the counts that the adults say to the kids.

05:33 In Italy we have Pinocchio, we have you know, the counts – just to understand how is it possible that this happened? And it was really, really, a traumatic personal experience. It was very, very strong experience because everybody had victims. My driver, they killed the family, he himself was hiding in a hole during weeks. The house, the roof was destroyed by grenade.

05:59 My house girl, one day I accompany her at home. She was, at that time she was 22 years old, something like that and she had like seven, eight kids around her. My salary was helping them. Now I help her a little bit, as, also my driver. Now, she's in the States. She get married and she got the green, I mean, she, she's happy.

- 06:23 She called me not long time ago, so we keep contact with that person time by time. And my, my driver, unfortunately, passed away but at least he built his house. He, he did not have any more water coming, you know, the rain and so on. It was a very, very, difficult experience.
- 06:39 But what I'm proud of our human rights experience for the European Union, we put the accent on technical cooperation. We thought that at that time with the coordinator, we thought that investigation of genocide as organized by the UN and so on, I think yes it's important of course but you know, it was really enough.
- 07:02 We had individual dramas, drama. We talked the genocide in Rwanda. The genocide is the Rwandese. It's not, Rwanda doesn't mean anything as such. I mean, the people have been suffering. What can we do to help the people? And we really, we put in place program of technical cooperation.
- 07:22 And that was the difference between the European Union and the UN because we contributed with NGO. We, we sponsor projects. I mean, so many things, that – training for justice and legal programs, for the police. I was involved on all, all these, these activities.
- 07:42 That make the difference with the UN. They were more oriented in looking for genocide or to, try to, to find responsibility was for every which ethnical group or was a Tutsi or Hutu. They were just looking like that. We prefer to be a little bit more oriented on, on the individuals, yeah.

Part 2

- 00:00 **LPN: Can you tell me how you first, I imagine you were learning about the ICTR a bit in that position. How did you come to work for the ICTR?**
- 00:09 Yeah. But, you know I was with the European Union and the, the, the personal involvement, involvement for the drama in Rwanda was even, even more than the professional one because really, it was – it went deep in my, my, in my heart. Microphone. It went deep in my heart.
- 00:31 So, and, you know, with the European Union, my salary was at least 40% more than with the UN. But the, the, my feeling was, if I can do more, how can I do more – is going in a judiciary institutions. So, you know, at that time I was the number two of the Eu-, European mission so I knew everybody. I knew the Deputy Prosecutor. I knew everybody.
- 01:03 So finally, I send my application. They call me. I had an interview, or several interviews. And finally, I was, I received an offer. I was in Italy. I received an offer. I went, I went back to, to Rwanda.

- 01:16 One of the first things that we did is to go to speak to the Rwandese. Up to 1997, nobody, sorry '97, '96, nobody – when I was recruited March '96 for ICTR before I wa-, I was in the European Union – nobody has ever talked to the Rwandese. No representative of the tribunal have ever met the population.
- 01:44 So the first outreach activity that was done for the tribunal was during that period, because we had an interview on Radio Rwanda with the Judge Rakotomanana, Honoré Rakotomanana, who was a Deputy Prosecutor at that time. And we had an interview.
- 02:04 And in that interview, you can hear my voice because the judge, time by time he was not very keen to respond so he said, “Alessandro, go ahead. You respond,” so I did it. He was really an, an excellent man. And, and that is how, how we did this interview with the, with the, with the Rwandese. And . . .
- 02:28 LPN: So, can you tell me what in that role, in your first role with the ICTR, what were some of the responsibilities that you had?**
- 02:35 At the beginning, you see it was really small. In Kigali we were what, maybe a hundred people; something like that. So my re-, at the beginning, I start, I worked in some cases. I cannot say which cases but I worked in some cases which are completed now.
- 02:53 And, and after, I was involved in internal/external relations. It means everything – all type of problems, all type of activities, the car, the computers. Because you know at that time we did not have any money. We had donors, countries like Canada and so on. They were sending money to us, or people, or the, the United States of America also, with computer, with cars and so on.
- 03:20 So the problem was, “How do we share these computers, these cars, these activities?” And at certain moment the situation was so tense that we start talking about even discriminations, even racism, you see because – and finally, it was decided that we were not going to accept any more contribution like, like those because you don't have . . .
- 03:51 Also, you don't have fidelity for the UN because you respond to your own country. It was a very difficult situation, honestly. Internal in term of organization and external because we had riots against the tribunal because people did not know what we were doing. That is one of the reason why we went to Radio Rwanda.
- 04:09 And at that time, the journalist was Innocent Kamanzi, who afterwards has been recruited. He's, he's in Kigali now and he's a very nice colleague and friend of mine. So, and, but you see, the situation was not like it is now. It was really, really complicated in everything, and everything was much more difficult than now.

- 04:33** LPN: Can you remember some of the, as you began to work for the ICTR, some of the surprises for you – things that became problems that you were very surprised by or things that happened in a positive way that you were surprised by?
- 04:47 Yeah. But me, I, see, I believe that everything is positive. Even to learn something negative is positive because you learn something that you, you don't have to eventually to do. The difficulty is, you know it was the first time in my life that I heard about problem between black and white.
- 05:10 Even though I'm born in Somalia, I've been living in Morocco, in Libya I did my study in Muslim law and, and so on, it's the first time that I, I was facing this type of situation in which people were talking about, "You're African, you're European, you're black, you're white," and so on.
- 05:30 And this, I, I learned that, that issue when I was in Rwanda because I was not aware. And it happened that I took a position of justice. I didn't ta-, take any po-, political position myself. And my position as Chief of External/Internal Relations was more on the thought of my friends from Africa.
- 05:51 So I became very – and, and, and my, my colleagues explained to me, really they guided me. Said, "Look Alessandro, you know, we have this problem." Yeah, it was very, very interesting because I think I, I grew a lot in my life on a human experience, like a professional experience, you know. What can I say? It was interesting.
- 06:10 I mean, it was interesting but what is really important for this type of situation is, is your human involvement. How do you want thing to be done? What do you do? That is even more because, you see, everybody's good finally. Everybody knows French and English. Everybody knows law. You can be a little bit better and so on.
- 06:32 But it's the person, the nature of the person, the morality of the person which can make the difference more than his knowledge of technicality. You can read a book, you know, Article 3 and so on, you just, you know – and that is the point that really – even now I remember that one.

Part 3

- 00:00** LPN: When, because you have spent a good deal of time in Rwanda working with the Rwandese and are quite taken with the country and have very strong feelings about helping them . . .
- 00:13 Yeah.
- 00:14** LPN: . . . how do you think that's affected your work here at the ICTR, now that you are based in Arusha?

- 00:21 Depends. If we go back in 1997 when I came to Arusha and when the Registrar asked me to be in charge of the defense, I start crying because for me was, “How can you ask me to be with the people, the, the, the people who were accused to, to, the killers, the murderers. How can you ask me to help them?”
- 00:55 I took it almost personally and I start – really I was crying. I say, “What am I going to do?” And so finally, you know, there you have the professional aspect coming. You have a juridical background. You are a lawyer. Everybody deserve to be defended. Everybody has the right. And I just accepted and I went ahead but it was not easy.
- 01:23 But something very important I have discovered during that period that, you know those people, accused people, they are not monsters. They’re just human being, so really I did my best. They are just normal people. They are just normal like you and I. They are normal people and I did my best to, to help them.
- 01:43 But on the other side, the normality of those people who were able to commit such atrocity, this really is something that is like a, you know, a mark in y-, in your skin because how is it normal people can do s-, they can commit such crimes?
- 02:03 So you see, when you deal with detainees of that, that type of detainee, you have this, this dual – professional, yes, but human approach on one side.
- 02:13 They’re human, normal; the picture of the wife, of the kids. They’re afraid. The-, they have the same feeling that I have. On the other side, they committed these atrocities knowing that they were committing atro-, atrocity – because they are normal. They were normal and they’re still normal. They’re not monsters. They’re just normal.
- 02:35 And this is, is something difficult really to, to digest. It’s very difficult to digest. Yeah, even now I don’t, I cannot understand how this happened. Is, is, is very difficult, yeah.
- 02:49 LPN: So that was my next question. Because of your knowledge and experience so you’ve not only read a great deal about Rwanda and the history and what has happened there and what led up to the atrocities in ’94, and even, you know, are familiar with what’s going on there very well now. You know government officials, (_____).**
- 03:11 Yeah, everybody knew, I know, yeah.
- 03:12 LPN: And you’ve been thinking about this for a long time.**
- 03:14 Yes.
- 03:16 LPN: So, what are your thoughts on how this happened? Do you have ideas? Do you have – or is it just still a problem working in your mind?**

- 03:27 Well, what happened, by, I know, the in-, what happened in term of history of Rwanda or? But, y-, you know in Rwanda we had an apartheid, like in South Africa before, it was in Rwanda. Because the Tutsi were discriminated in, in all positions. They could not even walk on the roads.
- 03:42 So that was well-known by everybody but it seemed that when you have the so-called rule of law, it mean you, you, you know, you, you, you tailor your rules, you d-, you manipulate your rules so even the government with Habyarimana and so on, it was looking legal because it was legal, but was a manipulation on these rules.
- 04:06 When you don't have morality, when it's immoral and, but it looks, the techni-, technicality of law and so and so, everything was legal. Everything was the rule of law but people forgot the rule of justice. I mean, how we can make justice? And, and nobody took any action against Habyarimana. Nothing was done.
- 04:28 D-, no Habyarimana himself all, but the regime of that president. And finally, '94, despite all the signal that we received, we had to wait the drama to take action. And even during the drama in Rwanda, it's not even a drama, sorry. It is genocide. It's the killings because drama is like is the nature, coming . . .
- 04:49 You know, you have – it's the killing. It's different. It's not just the nature, a, a tsunami. Is, is, is the killings, p-, planification and so. Even during the killings, the UN left. The only people there were the Red Cross who stayed there. And that is how we are, the human being. We left.
- 05:12 About the – I have colleagues, they have been tra-, traumatized really because they were in the UNAMIR and they had to leave in the, in the trucks, leaving the people behind.
- 05:23 When we did the evacuation plan for the European Union, we included the Rwandese staff. The UN, again, oh yes, we included because none of us wanted to have an evacuation plan and you leave your secretary, your any, your colleague or whatsoever because he's Rwandese.
- 05:43 And we really, we oppose and we get the money to have an evacuation plan not only for the foreigner but also for the Rwandese. And I think this is something that, is – those are achievement, important achievement I believe, that at least allow us to grow in, in a human asp-, aspect. And the . . .
- 06:05 LPN: So . . . so you made a distinction there between the rule of law and justice.**
- 06:10 Yes.
- 06:10 LPN: Could you say more about your thoughts there?**

06:13 Yes. No, what I mean b-, by rule of law is the, the legalit-, legality. I mean, when people just hide behind the law to do finally whatever they want, to manipulate the law, to manipulate the evidences, to make trials, fake trials, to make fake evidence and everything looks so legal, looks so legitimate.

06:39 LPN: And justice for you?

06:41 Justice is, is, is a different step. We have to, to look the matter with, with a principle of truth, with a pri-, principle of “Help the other,” and is completely another dimension of approaching this.

06:58 But unfortunately, we are still at this stage, the legality, the rule of law. But, you just open any book, any article even in ICTR written by the President, the Registrar or any other representative of, by, by, is that what, what they talk about.

07:14 That is why I love so much your project in Washington University because you, you make a completely different dimension in, in your research which is a very a step above.

Part 4

00:00 LPN: I would like to ask you about your time in Rwanda. If you have some experiences there that you would be willing to share with us that really stick in your mind.

00:12 Oh yes, there is, there are two experiences that – one is more professional and the other one is human. It happens that one day, I met a person in a dinner. This person was singing, a Rwandese with a beautiful voice but very simple and nothing really, not attractive at all. I mean, now she passed away so, but very simple person, and she was singing nicely.

00:46 She was playing the guitar. And I, I thought that she could have done something better with the guitar. And, as I play guitar even though I cut my nails for the interview, so I approach her and I just show her a little bit how to, you know, to, to reach the – and, and we became friends.

01:12 So, she was coming at my place. I was seeing her. She was coming to the office also. And her name was Annonciata. One day, my driver told me, “(), Alessandro, do you know who is that woman?” I say, “Yes, Annonciata. What is . . . ?” Finally, she was, the, the name of artist was Kamaliza who was one of the, probably the most important singer in Rwanda, Burundi, Uganda, in that area.

01:49 And it was a magnifi-, it was fantastic experience because she came home with two dancers of the national ballet and we put her music and they were dancing. And I was playing with her the guitar. And it was ju-, and I went to, to see the, the kids because she was very keen, she was very – helping orphanage. Orphanage? Okay. So I was going with her.

- 02:14 And another si-, singer, now it seemed that he's very famous. I don't remember his name but he was there. But, Kamaliza, of course, she was – and the other one was just there dancing and so on. That was fantastic experience: To, to meet somebody like Kamaliza. And, even she, she, she was singing to me some songs which have never been published.
- 02:40 And she gave me a cassette where she was just singing those songs which are inedited, they're not published but I don't know where I put the cassette. But I hope one day I will find it. And, and after a couple of months, she, she passed away. She had an accident, and we don't know exactly how she passed away. And I went to the funeral.
- 03:03 And I remember that all the personalities, even at that time he was not President, he was Minister of the Defense, Mr. Paul Kagame. He was there and other – Bizimungu, I think was the President but I'm not sure if he was there. But Kagame for sure was there and other representative of the government wa-, were there.
- 03:24 And m-, me, I just sat somewhere in the church and it was so –that was an amazing experience. And on the top, she was a Major of the Army but she never told me that.
- 03:37 And, and, and also, people told me that normally, she was not going out or looking for foreigner people or white people in general because of the history, I mean, of Africa sometime, you know, the white people did not play a good role and so you have this kind of reaction, generalization.
- 04:01 We are not all the same of course, but you know sometime people don't like because they don't like. And, so, I was privileged really, honored, privileged to have this human experience with Annonciata or Kamaliza.
- 04:14 And the other one was, I testified before a, a, a military court in Rwanda because I was in charge of, when they closed the Camp of Kibeho or, and other camps, the European Union and the United Nations wanted somebody who, to coordinate. And they chose me.
- 04:36 So I went to Butare. I put the bases in Butare – the, I mean the headquarter was in Butare. I was the chief there, no experience, nothing. I mean, you know, and how can you have experience such crime is so, you know?
- 04:51 So, but I was there. And the refugee camp was within the territory of Rwanda. Finally, they closed the camp. We had some killings. I did a report. And somebody was accused. One of the colonel of the FPL was accused there.
- 05:13 And finally, I, I wanted to go to testify because I was there. I was in Rwanda. I prepare a report. W-, I, I gave to Seth Sendashonga who was Minister of Interior at that time. I gave my report to him and so on. And, and, finally, I asked permission to the UN, I mean to the Deputy Prosecutor and he gave me this authorization more or less.

- 05:37 So I went to testify. And it was quite an impressive experience because I had hundreds of people behind me; maybe thousand of people behind me. And I had an interpreter. I don't remember how many judges – seven, eight, nine. I don't remember how many judges there. The colonel was sitting without grades. And it, it was quite a strong experience but I wanted to do it. I wanted to do.
- 06:05 And because of this experience after f-, some time, I, I received a cow as a present. You know the cow for the Rwandese is the most important present that they can give you.
- 06:22 You can give a, a telephone. You can give \$1,000. You can give a, you can give a building. You can give hundred of thousand dollars but if you give a cow, this is really sign of respect because that is the tradition; it's the history of the Rwandese and in particular the history of the pastor, the nomads, the Tutsi who are . . .
- 06:41 So, to receive a cow like for the Maasai, also here in Tanzania, is something very, very important, and I have a cow in Rwanda. And I'm really, I'm v-, very happy for that. I mean, I, I feel, I feel nice because probably what I did, even if I, I did not do to receive any – I do because I wanted to do. Nobody forced me to do anything but to notice that what I did has been appreciated by other people, and in particularly the Rwandese. B- is, you know, I like it.

Part 5

- 00:00 **LPN: So, is there anything that you would like the Rwandan people to know about the ICTR?**
- 00:08 The Rwandan people to know about ICTR, (___) – you know ICTR has been created in the statute is to contribute to the national reconciliation of Rwanda. I don't know if we are contributing really. I, I, I'm not sure.
- 00:23 I, I know, for sure we have, technically speaking, we have a lot of decisions. We have, w-, w-, – the detainees received a fair defense, effective defense. So, I think our trials are fair. Technically speaking, they are fair.
- 00:46 Contribute to national reconciliation of the Rwandese to know something else. We have a representative of Rwanda who is here, Mr. (____). Before him was another one, Mr. (____). When they want to know anything about ICTR, me I'm always available to discuss with them. I don't think there is any reason to keep any secret or, because we don't have secrets as such.
- 01:08 And for me, this tribunal is an extension of the Rwandan justice because without ICTR, those people would not have even been tried because nobody, even now, they, they don't want to give to the Rwandese the possibility to try their own people. We, we are trying their own people, the Rwandese.

- 01:31 So for me, this tribunal is an extension of justice, of the hands of justice of the Rwandese. That is our role. I'm Italian. The only thing that I can do is just let me do it, but it's up to them to make a judgment. It's not up to me. Me, I just try to do what, what I can.
- 01:50 **LPN: Thank you. So, when you came to work here at the, the beginning when you first started working for the ICTR, did you have some goals, something that you wanted to accomplish in your time here?**
- 02:07 You know, when I came in ICTR it was more – it, it was a, a passion almost, yeah, triggered by what I've seen in Rwanda, the drama of the Rwandese. It, it, it put me in a – I want to do something. I don't know exactly what. Even now, I don't know exactly what because it's so complex, everything.
- 02:33 But, I did not, I, you know, like a goal, if I can do even a little bit for that country, for the people that I know, and if I, I did it, I feel proud of myself. I mean, I received a cow so something I did it and this pushed me to continuous in this way.
- 02:55 Despite all, all the difficulties because we have difficulties. I mean, internal difficulties also. The life is a difficulty but it's how you react to the difficulties which is important. And that, I'm owner of that. I mean, I, my mind, nobody can manipulate. My mind is here. For the rest, yeah.

Part 6

- 00:00 **Donald J Horowitz: Mr. Caldarone, I'm Judge Donald Horowitz of Washington State and part of the ICTR Information Heritage Team. I'll be asking you some further questions.**
- 00:11 **DJH: My first question to you is what did you do with the cow that was given to you? No that's a . . .**
- 00:18 Hello judge.
- 00:18 **DJH: . . . it's a seri-, it's a serious question because, you know, like many lawyers I know the answer to the question but I think it's important that the public know the answer to that question.**
- 00:29 First of all, very pleased to meet you Judge. And thank you for the question. But what I asked for the cow is to not, to use the cow to give milk to one of the orph-, orphanages where Kamaliza was going. So, the, the milk for the kids.
- 00:51 **DJH: So . . .**
- 00:51 That is the only, but I asked just to keep the, the cow alive as much as she would be alive.

- 01:00** DJH: So if I understand, you did not keep the cow for yourself even though it was a wonderful gift. You gave it to, the use of the cow to the orphanage for the children.
- 01:08 Yes, but first I've, I've never really seen the cow as such. I was told that one of the person who is – it happens to be now one of the top ten in the government of Rwanda, he's the one who gave me the cow. At that time he was not so high. He was just a person. I mean, not so high.
- 01:30** DJH: Okay . . .
- 01:30 And, but, he gave me the cow when he was high. And I asked just to give the milk for the kids, but you know, but it's nice; after so many years, somebody who can remember me, yeah.
- 01:48** DJH: Okay, well thank you. Alright, so now my, my job is to talk about some of the operations and, at ICTR. ICTR, you have indicated, accomplished, has accomplished a, a great deal.
- 02:04** DJH: And if, if I, I'd like to ask you just quickly to summarize what you feel are some of the important accomplishments of ICTR, the International Criminal Tribunal for Rwanda, of which you have been a part for many years now.
- 02:20** DJH: Okay. As you see it, as a, not, as a professional and also as a person with experience in Rwanda, personal experience in Rwanda, experience as an attorney, experience as an official in the UN and in the European Union, et cetera, et cetera. So your, I guess I'd say, informed opinion on, on what has been accomplished that's positive.
- 02:44** DJH: And then I'm going to ask you what shortcomings you believe there have been and what you think can be done to improve those should we need a, both in this tribunal to the extent that we are – it's going along and it's going to close perhaps in the next year or so, and in the future, okay. (), I'm sorry I've given you all a whole bunch of long questions but I want you to think about it as you're . . .
- 03:08 Yeah.
- 03:08** DJH: . . . you're talking, the progress of the interview.
- 03:11 No, thank you. Of course, you know 12 years in the tribunal, I will try to be really short; what is, are the main issue . . .
- 03:18** DJH: Yes. Yes. Yes.
- 03:19 First of all, we forgot about the accused persons. I don't like the title of, of this tribunal because it is a presumption of culpability instead of a presumption of innocence. So,

already in the title, I mean in the statutes, people presume – you know, there is a presumption.

03:46 So that is something that I don't, I don't like it but maybe the formulation was difficult to find. By I-, in ICTY, International Criminal Tribunal for the ex-Yugoslavia, is, the wording is different. So I don't know why we use that wording there.

04:02 But we forgot here two categories of, of people are the victims. We have an article saying that restitution of goods and so on but, you know, I, I, I think I, I, intern-, the International Criminal Court with the program for victims and so on is, is, is much better.

04:24 If we really, we want to contribute to the national reconciliation, we need money and we need to look also the global picture because the human being is, is everything; it's not just justice or tech-, technical justice – is justice in, in the global sense, you have to touch different aspect of the, of the reality.

04:45 The victims has been forgotten (___), for sure. And, also, for the detainees, accused people. If they're acquitted, we don't have any agreement – where do they go? Or when they're finished to, to purge. To purge? The, the sentence . . .

05:03 DJH: When they're finished serving their sentence.

05:05 Serving, serving their sentences, yeah. Also, we don't have any, any agreement for, for them. So it's, it's something that I, for the next generation to look at it.

05:16 And the, the custody, the prevention, I mean before the trial is a rule here in this tribunal while in national jurisdiction is the exception so you can have a trial lasting for ten years and the person is in detention for ten years. And this is a detention center so we are not organized to keep people for long period.

05:41 We don't have the infrastructure in term of, for the people to study, to work to, as we have in a prison. It's not a prison. It's a detention center. So, all these I think have not been look at it. But also is normal because we are the pioneer so we don't know exactly how to do at the beginning.

06:02 I remember myself when we put in places the, the legal aid system, I consulted with my, the counterpart, my, I mean, the, the, the lawyers.

06:12 DJH: Let me stop you, let me stop you for a minute.

06:14 Yes.

06:14 DJH: You were in char-, I think you were put in charge . . .

06:17 Yes.

- 06:17 DJH: . . . if I'm not mistaken . . .**
- 06:19 Yes.
- 06:19 DJH: . . . of developing and instituting the legal aid system . . .**
- 06:23 Yes.
- 06:24 DJH: . . . for the people who were accused of, of the crimes.**
- 06:27 Yes.
- 06:28 DJH: Okay. Why don't you tell us then about, about that and – the, the bad and the good if you will.**
- 06:34 (___), we have a program for the indigent detainee. All of them declare themselves indigent. We did the investigation, or somebody did the investigation. So we have this program for indigent.
- 06:47 But at the beginning it was, it was extremely difficult because Kinyarwanda is a language unknown to the majority of the world because you know, it's a small country, little people.
- 06:59 And so even to make their own research for, for the lawyers, it was extremely difficult. It was extremely difficult to have lawyers coming in Arusha from the States, from the UK, from Cameroon, Nigeria or any country. It was very difficult to get those lawyer coming on, on board.
- 07:24 Me, I made a proposal but it was rejected, is to recruit lawyers from Africa because I believe at that time really, it was important for African people to, to take the lead in that – to get money because it's quite a lot of money also. And to promote justice in Africa itself. I thought it was very important but finally, that recommendation was rejected and the program has been opened to everybody, which is excellent also.
- 07:52 But it was just, you know, a position that they had o-, on, on that particular point. And, but, the difficulties were, I was alone, the only French-speaking person with 95% of people speak-, speaking French. My secretary was only English-speaking and, and I had to do everything. During the first two years, I was completely alone.
- 08:18 After I had a deputy who came on board who is now Deputy Registrar in the International Criminal Court, a very good friend of mine, very nice person; we were working together. We, I build the system because since '97, '98, nothing has been changed. Even up to now, I don't think that there are any changes in that system. So . . .
- 08:40 DJH: And what is the system?**

- 08:42 The system is how we assist a defense team. So we have a lead counsel, we have a co-counsel and we have investigator and assistants, so in order for them to, to give an effective defense to, to the accused person.
- 09:01 And, and also, at the beginning we were receiving people and the initial appearance was taking two, three, four, five months. So we have somebody arrested, brought hi-, him here, and he was there without any assistance, nothing. And I had to do, you know it was really a lot, a lot of work. It was really tiring.
- 09:22 So finally, we came out with a solution which is the Duty Counsel. So it's a lawyer within this area; can be Arusha, Moshi and so on, but in the area; just for a short period at least to finalize the first formalities. I mean, "My passport is lost. The prosecutor took my passport;" and, you know, all these kinds of complaints, some that I was dealing myself at the beginning.
- 09:46 So finally, we had somebody who – so it was. And also I was supervising the detention center because it was at that time, we didn't, we have a vacuum where nobody was there. So finally, I was the judge of surveillance. So I was receiving the complaints, I have to respond to the complaints and I didn't have any experience. So is, i-, i-, is, it was really challenging. It was really challenging.
- 10:10 But thanks to the lawyers – because I've always, I always con-, consulted with them – we put in place this program of legal aid where all costs and expenses mu-, must be necessary and reasonable and we discussed together what does it mean, necessary and reasonable? And after I present a matrix system with activities to be done in certain amount of time and so on.
- 10:38 And after, I was, I had a, a sort of burn out. I was so tired. I was working like 12 hours per day, Saturday and Sunday. And one day I just fell down in the office. I, I just fell down in the office. I thought it was a heart attack. It was just stress. And I asked the Registrar to change, to, to transfer me somewhere else because otherwise I was going to die in that section.
- 11:05 And we had a transition from the former Registrar to the new Registrar. Finally, the new Registrar granted my request and I (_), I was moved because it was really, really tiring. And now I think there are seven, eight professional. Before, I was alone. We were two, so, if you s-, and the quantity of work is more or less the same.
- 11:27 So I was really, I've been really utilized. And I did everything I could.

Part 7

00:00 DJH: What did you do to assure quality as well as quantity?

- 00:03 Yes, for the quality we, we did a lot because what we tried to have, and this is a rule that we have in ICTR; we don't, they don't have in ICTY, the Tribunal for the ex-Yugoslavia. We request ten years of relevant experience.
- 00:20 This was done I think in '98, something like that, quite early. Because we had lawyers, very young people coming without experience fighting for nothing, aggression for nothing. No moderation in the request.
- 00:36 It was just, you know, it was not sane. It was not, it was not sane. It was no-, sano. It was not something acceptable. So in collaboration with the judges, and at that time my, my focal point in the chambers was Erik Møse, the Judge Erik Møse who was Vice President. And the President was Navi Pillay, or Navanethem Pillay who is now High Commissioner in, in . . .
- 01:05 DJH: High Commission of Human Rights for the entire UN. Okay.**
- 01:07 . . . of Human Rights yes, yes, yes, yes, (____), and show me two beautiful persons and, and Eric Møse, so with him and other judges, we, we, finally, the judges decided, accepted to change the rules and to put ten years of relevant experience.
- 01:26 So what I was doing, I was writing to all the bars asking, "Do they have experience?" I change the form. I mean, we tried to, really to, to have quality in the defense because I believe without quality, only the quantity is not, is not enough.
- 01:44 DJH: And did you also have occasional training programs for or, or sharing of experience among the defense bar which is what you were in charge, in charge of?**
- 01:54 Yeah, that is something – we, we tried to have some program for, for training for the lawyers and so on. But also there we were in an impasse in the meaning: You want to have people with ten years of relevant experience. Relevant. It means – and nobody had the relevant experience because who has been, been dealing genocide cases in anywhere in the world?
- 02:14 DJH: What you mean by relevant experience is criminal law defense.**
- 02:16 Criminal law, yes, criminal law. Yes.
- 02:17 DJH: Defense, yes, (____) defense experience, right . . . right.**
- 02:19 Criminal, m-, mainly defense but in criminal law so we tried to have some trainings for the lawyers and so on but we could not put any in place. We had some trainings with Judge Latansi, who after, Professor Latansi who after became also Judge here. She came to Arusha in '97, '98 with some training and she went also to Namibia for international justice and so on.

- 02:46 But the tribunal as such, we did not have any training for, for, for the lawyers. That is something that we could have done.
- 02:52 DJH: Okay. Now what other duties . . .**
- 02:58 I would like maybe, excuse me . . .
- 02:59 DJH: No, () go on, please.**
- 02:59 . . . if you, if y-, if you, just a point that I think is, is, is historical speaking, is important. You see, when I was building with the Registrar of course, the, that section for the lawyers, I was consulting the lawyers all the time for anything. They were sending me documents and so on.
- 03:21 And the section of the lawyers in detention is the only section in the whole registry who never received assistance from external consultants. I want to say that because we have Court Management Section. They had very high people coming like for example, Vincent who is now, I don't know if he is, but I mean he was the Registrar in Sierra Leone, the Court of Sierra Leone. He's now the, the Registrar in, in the t-, Special Tribunal for Lebanon.
- 03:52 And, and, I mean, they have very high people there. Witness Protection from the States – we have very, very qualified people from the States. They came here. They were even recruited some of them.
- 04:07 So, you know, but – what I, I, I decided myself with the Registrar is we have to, to talk with the people. I mean, we have to discuss with the lawyers. We have people coming from everywhere in the world. We have so many different mentalities.
- 04:25 You know, the way of billing is different and so on. To call an expert, we are not going to impose one system, or a – so, but after I left the, the section, we call an, a, a, a consultant, Judge Poler, who made a report and so on on that, yes. But it's the only section in the whole registry without any external consultant because the way was – talk with people, consult with people before anything else.

Part 8

- 00:00 DJH: What other duties, areas of duties have you, ha-, of significance have you had in your current job or the one that preceded it?**
- 00:10 In my, in External Relations?
- 00:11 DJH: Yeah. Apparently, you went from being in charge – you had this physical, you had the stress problem . . .**
- 00:16 Yes.

- 00:17 DJH: . . . and you changed your job.**
- 00:18 Yes.
- 00:18 DJH: Yeah. During, before you changed the job, your, your principal, I gather your principal job was the building of this defense team.**
- 00:25 Yes. Yes.
- 00:26 DJH: Okay. And then when you changed jobs, what, what has yo-, have your duties been since then? I take it, it's, yeah . . .**
- 00:33 Well, yes, yes . . .
- 00:35 DJH: . . . it's been the same job since? No.**
- 00:37 No, because at the beginning, beginning, I was requested to e-, elaborate with the Chief of, of the administration an Emergency Recovery Plan because we have information everywhere in the offices and so on. And if we have a fire, how do we going to do, how are we going to save the information and so on. So I've been part of the team. And I circulate a form, I mean . . .
- 01:03 I've been working quite a lot – because you see, the problem is communication between a judge and somebody in Computer Science. They don't understand each other. It is, it's, it's very difficult that is why they asked me to, to make the link of communication between the juridical world and the computer world. And I have both in my s-, my, my, my background.
- 01:26 DJH: I, I was going to – I was going to ask, as I remember you, discussion with you, you have had some specific training I think in Toronto, Canada relative to information communications technology and the law, and have worked in that field.**
- 01:43 Yes. Ye-. No, that is, was in Quebec City.
- 01:47 DJH: Oh okay . . . yeah.**
- 01:47 In Laval, Laval University. Yes, I did a Master which has been published integrally, and I've developed an expert, expert system in law, so, in Artificial Intelligence with Prologue. I mean, the (____) is – law is logic, computer is logic, informatics is logic, what can we do together?
- 02:08 And I came out with this solution in which, quite elaborate software. It was a real expert system and, which has been published and which is available . . .
- 02:17 DJH: And, and, and from that, from that background, you were asked to develop an emergency system to prevent loss of significant amounts of information. Okay.**

- 02:28 Yes, yes, yes, yes, how to make even backup because the people with, even at that time the computer was not advanced as, as it is now. Windows, Windows was exist. At the time I did my Master, Windows was not. I did it with the Macintosh because, yes, it was a big disk and so on, and . . .
- 02:47 DJH: And, and I take it you've accomplished that, that, that part of . . .**
- 02:50 I, yeah, we made a report. We sent to the Chief of Administration and after, you know, as very often in big organization like this one, you don't know what they do. You don't have any follow up, you don't have any feedback.
- 03:03 DJH: Well, do you think you have . . .**
- 03:03 Finally, you know . . .
- 03:05 DJH: Do you think you have a, a system in place now that will protect . . .**
- 03:09 Yeah, now the system is in place, yes, yes.
- 03:10 DJH: Yeah. Okay.**
- 03:11 Yes, we have a system with, with also protection for fire, back up; distance back up. We have several, yeah. We have it.
- 03:20 DJH: Okay. And what, what other – I'm go-, coming to an area that I, I want to cover some of these other areas, but I'm coming to the area of personnel and staff which I know you're very much involved in, with – but I want to see, make sure we've covered the other areas of your, significant areas of your duties.**
- 03:39 Yeah, the other duties that I did – I was in External Relations. I've been in protocol. So, also protocol, I, I, I prepared the procedure, all the forms. Even in the section of lawyers, I mean, I prepare the procedure, how to do this, the different form, how to respond. In order to have a standard, standard response, I mean, to treat everybody in equal way.
- 04:03 DJH: Okay.**
- 04:05 And I develop also software for, for the visit, relational database. I like very much this – in FileMaker Pro, and to make statistic, report, data, yeah.
- 04:19 DJH: Okay. Let's go onto the staff issues.**
- 04:22 But for sure, External Relation, you cannot compare with the quantity and, and the human engagement that you have when you are in the defense.
- 04:31 DJH: Yes.**

04:32 When you have a human being and if you are late, the people are in jail, I mean, so you cannot be late. You cannot say, "Do tomorrow." In External Relation, sometime you, you, you can – is different.

Part 9

00:00 DJH: You had your own experience of stress in the kind of job you had, and, and not just the kind of job but the areas that you're dealing with. You're dealing with areas like genocide . . .

00:10 Oh yeah.

00:11 DJH: . . . and enormous information, and, and you had personally experienced much of that in, in Rwanda.

00:18 DJH: You've been asked to be involved with concerns about staff and what's the pressures on staff, and the hu-, the humane treatment of staff.

00:30 DJH: And why don't you give us some of your views on, first of all, the pressures that are on the staff in this, in the UN, I mea-, in the ICTR. And what has been done about it, and what perhaps should have been done about it earlier or should have been done about it at all?

00:50 Yeah. You see, for me, ICTR as such doesn't mean anything. What it means to me is the people behind ICTR – because behind any organization, you have the people pushing to achieve some goals. You have people with morality. You have people, really they want to help the other people.

01:17 We have people, they do injustice. They don't react even when see injustice. And we have, we have people in ICTR playing like Machiavelli or The Prince or Sun Tzu of the, the you know, the Art of War, as they are the only one who have been reading those books. All of us, we know. But, and it's very unfortunate. So we have this situation here as everywhere in the world.

01:52 And what I try to do is, and I am very happy that the Registrar asked me to do with my friend Jorge Sierralta who is a (____) staff member, is to look into the mobility. So as to assist colleagues' internal mobility, so as to assist colleague, when we are going to close the tribunal, to move from one department, one section to another section or within the same section.

02:23 But this is not done, this is not done – neither here in ICTR nor in New York because Ki-moon, the Secretary General has been very clear, very recently he made a speech. So, I'm not saying that ICTR is behind the UN. I'm just saying that ICTR, it's just a fact, ICTR is not

doing. And on top, there are colleagues playing this double game. They say something and they do something else.

02:56 So my role is just to take out the, where the hid, where they hide and let them to, to, to talk, “Why are, are you doing this kind of things?” That is my, as I perceive my, my job in this internal committee. So now, we are looking the technicality in order that everything is legal, everything is like that. But, my real purpose is just to discover the lies and to eliminate such behavior.

03:32 Because we have people changing. We don’t give promotion. A lot of things are – we receive a lot of complaints. And this is the Chief Administration herself who wrote to us saying, “We received a lot of complaints.” So people are not crazy. If you complain, you have to look into the, into the complaint.

03:53 DJH: Let me see if I understand. The idea of mobility is as, as people change jobs, people leave or whatever, and as you’re shutting down, people are looking for opportunities elsewhere. So the idea is that people who are staying who are within this sy-, the current system who’ve worked here for some time, get an opportunity to move ahead . . .

04:16 Mm-hmm.

04:16 DJH: . . . to change jobs and improve their situation.

04:19 Yeah.

04:19 DJH: That’s the mobility.

04:21 You see . . .

04:21 DJH: And while that is the stated intent of the Registrar in a speech that he gave in April . . .

04:26 Yes. Mm-hmm.

04:26 DJH: . . . of this year, it’s not happening. It’s what you’re saying. You and Mr. Sierralta, who is the psychologist here . . .

04:35 Yes. Yes.

04:35 DJH: . . . are heading this effort to make it happen.

04:38 Yes.

04:39 DJH: Okay.

- 04:39 So this – I think is the, the UN recruitment system which is 2002; it's not April 2008. It's 2002; gave a certain numbers of rules concerning mobility, concerning promotions. You cannot be promoted from a certain category – P4 to P5 for example – if you don't have a certain type of movement because the goal of the UN is to have people, multi-skills people.
- 05:13 The majority of my colleagues here have been in that position forever, since 12 years. This is against the idea of the UN. They don't move. They become, and you know it, it's very n-, also as a matter of – when you stay in, in a position for long time, you become a sort of king, a sort of emperor there, a sort of somebody who can produce bad instead of help, instead of good.
- 05:44 So, they, they, in the rules since 2002, we talk about mobility. In our particular instance, as we are closing down the tribunal, we should look the, the skills of our colleagues, what they can do and how they can be moved. I, I start the lawyers in detention without any experience. I did it. The program is still there.
- 06:15 Do you think I cannot do work in the administration? I cannot learn personal matter? I'm a lawyer. What, with law, you can go everywhere. So what it is the problem? Why, why not move? I want to move and I like to move. And I, I like new challenges.
- 06:32 For example, I would love to work in, in Human Resources because you are in contact with people, with colleagues and so on. Is it a problem is I don't know how many kilos you are allowed to go when you go on mission that I cannot be moved? I cannot learn that?
- 06:47 So you have a lot of positions that our colleagues can, can move internally because the tribunal is closing down also. But what they are doing here and elsewhere, they are recruiting from outside. So now, we are working, I pr-, produce the Term of Reference and so on. But you know, these rules are 2002.
- 07:11 So I clap the hands to the Secretary General, to the Registrar and so on but they did nothing since 2002. I don't like now to, to say that, you know, Alessandro or Jorge is responsible because in 2008, they didn't do in two months what, all the organization did not do during six years.
- 07:32 DJH: Mm-hmm.**
- 07:33 I'm looking at this. I prepare the Term of Reference but the problem, I mean the issue is Jorge is very, is always outside. He's always on mission so we delay.
- 07:42 However, I have requested some documents to ICTR and the response was negative. So, on one side, you ask to do a job but on the other side you take back your hands; not the Registrar. It's not the Registrar who wrote back to me. It's another person, the Chief of Administration saying, "Why do you ask those documents?"

- 08:07 Because I want to do the work, that is why I have the document – because in my mind, you can prepare the Term of Reference and in the meantime you can collect the factual information in order to build a knowledge afterwards. But at, at least get the databank. The, I mean, even not databank, get the information, the factual information.
- 08:27 So as when the committee is in place, you can call a meeting with already the, the documents available. No, they were, they didn't give us the documents. So you see, I would like to avoid that, these kinds of situation is a sort of legality again. I follow the rules. I consult people. I put a committee and so on. It's not done. I'm not responsible.
- 08:53 You know? So I would like really to avoid this kind of – wi-, with me, cannot work because if I don't have what I have, once the committee's done, while I will wait . . . you know you have to ask – act with moderation. I will wait for Jorge come back from mission. I will send the Term of Reference. I will do everything they want me to do.
- 09:15 But once it's ready, there we, we will talk.
- 09:21 DJH: 'Kay. You mentioned that Mr. Sierralta, Dr. Sie-, Sierralta is on a mission. What, what is it?**
- 09:27 Yeah, he's outside. He, I we-, I think he went on training. I don't know exactly. I don't know exactly . . .
- 09:30 DJH: Okay. Something related to his job (___) a psychologist . . . okay.**
- 09:31 He's coming back on Wednesday, yes. He's coming back so in two days' time.
- 09:35 DJH: Yeah, yeah.**

Part 10

- 00:00 DJH: What I want to do is ask you an overall assessment, if you will, of ICTR and how if you were building, if, if unfortunately we needed to have another tribunal, ad hoc tribunal, or perhaps we shouldn't have (___), ad hoc tribunals. We should only have a permanent tribunal, and I'll ask you about that.**
- 00:25 Yeah.
- 00:27 DJH: How would you design it?**
- 00:29 (___), thank you for the question because you see, if you look also the design of the International Criminal Court . . .
- 00:35 DJH: Yes.**

- 00:35 . . . look the importance that they give to people working there. Everything is in due to have one court, one people, consultation with people in, in the rules of the ICC, International Criminal Court. So, what I would do apart the, the, the, mean, the, the, the more visible part which are the judgments, but give importance to people. Give to . . .
- 01:03 **DJH:** The people in the system.
- 01:05 The, yeah, the staff members, the people working there. Let them to be motivated. Let them to, to, to work. To, you know, you have to motivate people. You have to recognize people. You cannot talk to impress people. Nobody care to be impressed. Nobody go to a meeting to be impressed by whom. What do you want to impress?
- 01:27 You just, we are together. We are colleagues. Motivate them. Recognize what they're doing and you will see the work will increase in term of quality as you were saying, Judge. The quality can be increased only if you motivate people.
- 01:43 DJH: And you must give them the tools.**
- 01:45 You have give the tools.
- 01:46 DJH: Okay.**
- 01:47 You know, the tools that I have at that time was a box of paper, I mean a box. I didn't have even a desk. I was buying my pen. And we did the program.
- 01:59 DJH: Mm-hmm.**
- 02:00 The tools, you know the tools are here in the mind; and, and the honesty, how you use those tools because you can have the money that you want if you are unhappy or if you see injustice and nobody lift a finger for that injustice, as it happens here regularly.
- 02:21 You, I don't think we can achieve much. We have to give importance to the people.
- 02:26 DJH: Okay.**
- 02:27 The social dimension of ICTR.
- 02:29 DJH: Mm-hmm. Now let's talk about the people, you've talked about the people inside the system.**
- 02:34 Yes.
- 02:35 DJH: What about the people who are, you're supposed to be serving, the victims, perhaps the witnesses, and also making sure that the defendants, the people who are charged get the fair trial. And you've talked a fair bit about that. Okay.**

- 02:51 Yes.
- 02:53 Note: Gap in Interview (Approx. 30 seconds in duration.) Gaps occurred due to interruptions during the interview, technical issues, or corrupted data files.**
- 03:02 The issue for me is very often when we look an organization, we want to reform the organization, to reorganize, reorganize the, reorganize the organization from the top to the bottom. For me this is wrong. We should start from the bottom to the top. We have to recognize our people, our colleagues from the cleaners to everybody. It will make a team out of that.
- 03:30 If you have the judge just living like a semi-god, I don't think that is anymore of a, actuality – maybe Greece before but not now. So we have really to, to look from the bottom to the top. That is really what I believe should be done.
- 03:51 And I believe you give morality, you put morality in these rules of law, as people say. When you have morality in the rule of law, you become a rule of justice where everybody has access. Everybody will feel satisfied. Everybody will do a better job. The quality will improve. That is what I strongly believe.
- 04:16 And if I was the Registrar, this what I was going to do – call everybody, discuss with everybody, consult everybody and find out solutions. To stay close in the torre of, ivory torre, I don't know, I don't know in English how to, to say, but I mean to be just separate from the reality; for me this is a, a nonsense. I don't talk about the Registrar here in general.
- 04:42 So that is the way that I see things. I see my colleagues how they talk and so on. And I think that is how I would like to do, and that is why the mobility is for me is, is something – I will use it for sure. I will go more than what has been delegated to me. There we have to stop. It's okay but at least I will try.
- 05:05 DJH: Okay.**

Part 11

- 00:00 DJH: Let's talk for a minute more about some of your experiences and the experiences of your colleagues in having to deal almost daily – and you did it before the ICTR began – with the actualities of the events in Rwanda in 1994 and the horror of that.**
- 00:25 DJH: We were talking a little bit before about the interpreters and how they have to hear very difficult things and then change the language and have it come out, go in the ear and come out the mouth, and some of the residual poison may stay over time psychologically and so forth.**

- 00:43 Oh () . . .
- 00:43 **DJH: Yeah. And you yourself have had this. So perhaps, can you think of something that the, the ICTR would, could do to assist the staff in that way as they are here over years doing these things. Tell us a bit about your experience.**
- 01:01 (), no, for sure that is, I mean I had nightmares myself during long time. And I think the stress that I had at the lawyers, it's not because I'm physically weak, or – it's because you get tired to accumulate all this. Victims are all the Rwandese. I think even in International Criminal Court up to now, there is no definition of who is a victim.
- 01:29 That is the problem also of, juridically speaking, who is a victim because all of them are victims directly or indirectly, I mean. And, and, no, the thing is when you are in Rwanda and people tell you story what happened to them, what happened to the family, their family, they show you the holes where, where they were hiding. It's not the same that when you go in court now after ten years, 12 years; looking people, witnesses, talking about something.
- 02:05 But, you are an interpreter and understand them. It must be very hard for them, but still you don't know the person. But when you are in Rwanda and you know the people, and you put faces on the drama, I think that, that is, is quite different in term of intensity.
- 02:25 What I can tell you is when I was in Rwanda, I mean even after Rwanda, w-, when they asked me to become chief of the lawyers I start crying, () crying seriously.
- 02:36 When I saw the first detainee, I was, it was really changing inside even though I was trying to control myself, but it's not easy to control y-, yourself. So it's a hard experience. And in '95, you had bodies everywhere in Rwanda. You, it's not like now.
- 02:58 And when you were going also around, and I don't remember the name of a church there. It was, even when they were open the gate, you have bodies there still in decomposition, still with the dress, the clothes.
- 03:14 The flesh was still there. The smell; you could not remove the smell from, from you during days. I was taking seven, eight showers per day and the smell of death was in me.
- 03:29 I- it, it was really a, a, a very difficult experience, very, very, difficult experience. And that white flies around the bodies and, and you go in a church and, and you think that the church is something that should not happen there. Should not happen anywhere.
- 03:48 But you see how everything has been – it, it, it was hard. It was really hard. Even now is hard.

- 03:55** DJH: Yeah. How have you managed to sort of accommodate, if that's maybe a silly word, so that you can do your job, so that you are not walking around totally depressed . . .
- 04:09 I . . .
- 04:09** DJH: . . . and, and, and how can you advise as to some of the other staff people?
- 04:15 You know, I think in my, my case because I can't, I cannot talk for the other people of course but I, I think it's, it's my love for the Rwandese which really pushed me not to have to collapse when I was seeing what I, I've s-, I've seen, because I was the only one who, who could have helped them.
- 04:34 If I was collapsing myself, who is going to help them? We don't have to forget that when you have even the UN, other, other colleagues, they were just doing their own career.
- 04:46 They were just trying to accuse people, to find evidence against people, whatsoever, it – the Hutu or the Tutsi, it doesn't matter. It was just, "I want something to have a promotion." That what people were doing.
- 05:01 Colleagues, colleagues became playboy. They became rich people. I have, you know I accused colleagues in a newspaper in, in Rwanda. You have people coming from a village in, in Europe. They go in five stars hotel. They receive a salary they have never seen in their life. The, the girls in Rwanda are beautiful. And they were going behind those girls without taking into account that those girls were alone. They created prostitutions.
- 05:35 And I accused them, in the press. And one of the reasons I'm in Arusha is because I was on the point to be fired and the President of that time of the tribunal, Judge Laïty Kama he liked me and he wanted me to stay in Arusha. I had a, a serious confrontation with some colleagues because this was completely amoral, no, no morality in this type of behaviors.
- 06:03 So not only you have a work to be done, but on the top, you have this kind of injustice around you. And you have to react because if you don't react to injustice, you do injustice yourself. And that what I've been trying to do. It was hard because I had to fight with my own what I've seen, the bodies, talking with people.
- 06:28 I was in Kibeho at the, when they closed the camp. I saw so many bodies myself. I think nobody here in the Tribunal have seen so many people killed as I have seen myself, nobody.
- 06:40 I've saw – and on the top, I had these colleagues. You know my report that I did when I was responsible, somebody else, another colleague did another report because he never recognized the fact that I was in charge of that sect-, of that mission.

- 07:03 I didn't ask anything. It was given to me. I just did the work, () respecting everybody. We, they put a Commission of Inquiry and finally, my colleague was fired because he did something completely a nonsense. So, not only you have a work to be done, but you have this people coming around like – honestly like shark, honestly.
- 07:27 And, and you have to, to, to fight all the time. You have to fight all the time.
- 07:33 DJH: So, in a certain way, you're talking about, am-, at least among other things, you survived by fighting.**
- 07:40 That is why you see, I . . .
- 07:41 DJH: . . . by fighting injustice.**
- 07:42 I say you have to change the system. The UN has to be changed by the, from the bottom to the top. If you don't change the mentality of those people, if you don't have training, education, a proper one, that, the UN will never really achieve the ultimate goal of justice because within ourselves, we don't have it.

Part 12

- 00:00 DJH: I'm going to ask you one more question. Right now you're speaking to the future.**
- 00:06 Yes.
- 00:06 DJH: You're speaking to me today. You're speaking to Lisa today, but you're speaking to a world a year from now, five years from now, young children, grownups, UN people, ordinary people. What is it you want to say to the future?**
- 00:22 DJH: Alessandro, what do you want to say to the future, Alessandro Caldarone?**
- 00:30 Just keep the freedom of your thoughts, just think, just be, just be honest. The people will not come back in life in any case. And if you say too much, you look like a, you're a p-, you know, you become a strong man and it's not that you want to impress. You don't, I don't want to impress anybody.
- 00:54 I will just say to my niece and son, just be honest. Just say the truth. Fight for it, with moderation of course, with caution, I mean, with you know, because the other people maybe they're right also. It's not because you think differently that you are right all the time. So you have to be humble, and – but this is the teaching that I really, this what I've . . .
- 01:14 What I've learned from the tribunal is this one – wait. I learned how to wait to fight against injustices because you have to wait. Moderation. And I feel very close to the Rwandese. That is for sure. I feel very close for – but, my message is just to be free with your thoughts.

01:43 And study, learn, make your own knowledge, your own wisdom and just go ahead.
Otherwise, our existence is useless whatsoever you are working ICTR or not.

02:00 **DJH: Thank you, very much. Thank you, thank you.**