



Voices from the Rwanda Tribunal

Official Transcript: Hassan Jallow (Part 1 of 15)



Role:	Chief Prosecutor
Country of Origin:	The Gambia
Interview Date:	5 November 2008, 6 November 2008
Location:	Arusha, Tanzania
Interviewers:	Lisa P. Nathan Donald J Horowitz Batya Friedman
Videographer:	Nell Carden Grey
Interpreter:	None

Interview Summary

Hassan Jallow emphasizes the need for extra-legal responses to post-conflict reconciliation and calls for the involvement of local communities in the justice process. He discusses the challenges of prosecuting gender violence and its role as an act of genocide. Jallow refutes the notion that the Court has delivered 'victor's justice', drawing attention to an investigation into war crimes committed by RPF forces. He suggests that the process of holding leaders accountable is feasible at the international level.

The transcript of Part 1 begins on the following page.

Part 1

- 00:00** Lisa P. Nathan: My name is Lisa Nathan and I am from the Information School at the University of Washington and I would like to thank you for your time this morning. And to begin, I would like you to state your name, your home country and your title, your job title here at the ICTR.
- 00:14 Good. Well, you're welcome. My name is Hassan Jallow. I'm the Chief Prosecutor at the International Criminal Tribunal for Rwanda and I come from The Gambia in West Africa.
- 00:25** LPN: Thank you. And I would like you to walk me through your timeline here at the ICTR – when you began and your roles here with the ICTR.
- 00:39 My own personal, yeah.
- 00:39** LPN: Yes.
- 00:40 I joined the ICTR in September of 2003 following the election by the Security Council to the position and I came in here. I've been here since then. I've had a first term of four years, which was renewed last year by the Security Council up to 2011, unless we sooner finish the work. So that's, that's the current situation.
- 01:04 Before that I was with the Special Court in Sierra Leone as an appeals court judge, and prior to that a judge back home and prosecutor as well before.
- 01:15** LPN: So I would like, for just a minute, for you to think back to where you were in the spring of 1994 and during the events that were occurring in Rwanda at that time. Can you describe to me what you were doing at that point in time?
- 01:31 At that time I was the Attorney General of The Gambia and Minister of Justice, so I, I was in government then as a prosecutor but also as a p-, policy, legal policy maker. And I was involved in, in work on human rights trying to get the African Commission on Human Rights to, to function.
- 01:52 We had just adopted the African Charter about a decade earlier, set up the commission in late '80s and the, the African Union ha-, or the (_____), or the OAU as it was at that time had agreed to locate the African Commission in Banjul, The Gambia.
- 02:09 So we were trying to get it going at that time when this terrible tragedy actually unfolded on, on the continent. But I left government soon after. Within the next three months, I had left government. But I was in government at that time.
- 02:24** LPN: Do you remember actually learning about the events during that period of time?
- 02:29 I did, I did learn about them, in two ways. The media was there. I mean, t-, the media publicized it quite a lot. I, I did learn of it also through my work on human rights, particularly at the level of the African Commission on, on Human Rights which, which was very, very concerned about what was then going on.

02:50 LPN: So how about how you first learned about the ICTR and the story of how you came to work here in your role as Prosecutor?

02:59 I, I got involved in international criminal justice when I was appointed by the Secretary-General of the UN in 1999 to carry out an evaluation of the functioning, judicial evaluation of the functioning of the ICTR and the ICTY, as part of a committee.

03:16 There was a committee of five he had set up headed by Jerome Ackerman, an American who was, who had been president of the UN Administrative Tribunal for many years. So we, that, that really got me involved in international criminal justice at very close quarters.

03:32 I came here with some of the team members and also at The Hague. And over a period of six months we examined the functioning of both tribunals because there had been a lot of complaints about slow progress, about, you know, how things could be made to, to move much faster.

03:50 So we spent a lot of time closely scrutinizing the functioning of both tribunals and as a result we made a number of recommendations to improve their operations. Most of them have been implemented, and then, within a short time after that about four years I was back here again now as, as Chief Prosecutor instead of as a consultant.

04:11 LPN: Can you describe to me some of the responsibilities that you have as . . .

04:16 As Prosecutor?

04:16 LPN: . . . the Prosecutor?

04:17 The, the Prosecutor at the tribunal essentially has two responsibilities. One is to, to initiate investigations into, into the tragedy which occurred in Rwanda, investigate the, the involvement of specific individuals and then to decide also whether they ought to be prosecuted or not.

04:38 Secondly, if he does decide to go ahead with prosecution after confirmation of the indictment by the judges, then to organize the, the, the actual prosecution. So my role f-, essentially is to investigate and to prosecute those persons who bear the greatest responsibility for what happened in, in Rwanda in 1994.