



Voices from the Rwanda Tribunal

Official Transcript: Hassan Jallow (Part 3 of 15)



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| 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 3 begins on the following page.

Part 3

- 00:00 Lisa P. Nathan: Before I go any further, I would like to provide you with the opportunity to reflect on your time here not only in your role as Prosecutor, but as your role as a human being and think about anything that you would like to share with us, to share with the future about the time that you have spent here, about the ICTR or even a, a specific story or whatever comes to mind for you that you might like to share ten, 20, 30 years down the road.
- 00:29 Down the road. Well, before I came here I mean I hadn't seen any of these sorts of crimes on this mag-, magnitude. I visited Rwanda. In fact, I make sure each time I go to Rwanda I visit a different province and go, I've, I've visited all the major massacre sites now in Rwanda and seen at firsthand the result of, of this, of this genocide.
- 00:53 And, you know, it, it's, it's a big, it's a terrible tragedy which took place. You have people turning against each other, neighbors turning against each other, even family members turning against each other. A very terrible story, but again, within that you have stories of, of courage, of good people, of people behaving very, very well.
- 01:21 You have stories of people who have a lot of faith in the law. There are countless Rwandans who've also worked very hard to save victims. They're even amongst my staff here. They, they are Rwandans.
- 01:39 LPN: Could you share one of those stories, that perhaps comes to mind for you?
- 01:41 Yes. They, they are Rwandans who have suffered very much from, from what happened. I had a member of staff, a Rwandan, who I'd learned later had actually lost his entire family in the genocide. And here he was working with me. He was actually my driver in Kigali.
- 02:01 And I, I looked at him and I couldn't trace any sort of bitterness or anger or anything like that and it, things looked normal with him. And so one day, I, I sort of plucked up the courage myself to ask him, "How, how do you cope with this, the fact that you've lost your, your entire family?"
- 02:20 And his answer was simply this, that, "Well I know those who people, those people who did it. I know that they are in detention awaiting trial. If the law is going to take its course, it will not bring back my family but it gives me satisfaction and peace of mind and I, I have no then, no desire then for revenge at all."
- 02:41 And I thought well, he was casting a big burden on our shoulders then as the lawyers, a big responsibility – that, that people were looking up to the law to find a solution, to find justice instead of turning to retribution and to revenge. Which itself I think is, is an extremely good thing.
- 03:01 It, it means for instance, that for the people of Rwanda, the operation of the tribunal has at least one result, of demonstrating to them that there's an option, there's an

alternative to this. The use of the law is a viable alternative as a solution rather than conflict.

03:19 If people are willing to, to hold themselves back and let the law, you know, law, law, law take its course. There, there's staff members also I said who have suffered in, in many other ways but I just want to single out this particular driver. I, I thought, you know, he was a very courageous person.

03:39 I didn't know how I would have coped with it and that's why I asked him, "How, how are you managing to live actually with this thing hanging over your head?" He said it was okay so long as the law did something, the law did something about it.

03:53 LPN: So . . .

03:53 Well I, I think, you know, one of the things I, I, that, that, that come out of my experience with this, with these trials is, I think, is the need for people to go back really to basic values. I, many of these things don't happen without government connivance and government encouragement, government, government involvement.

04:20 In Rwanda, for instance, I could not understand why the basic principle of loving your neighbor just seemed to have been thrown out the window. But if, if you stick to that simple principle you can't expect this kind of tragedy to take place.

04:38 And, and maybe governments are, are not the, the, the best institutions to try and teach people to love their neighbors. But I think families, religious leaders, you know, non-governmental organizations have a, have a responsibility and potentially a very, a very strong role in trying to promote those values.

05:00 And if we do maybe it would help us avoid these sorts of, th-, these sorts of tragedies. If we all went back to loving our neighbors, respecting each other and, and desiring for your neighbor what you desire for yourself, it becomes prob-, probably difficult to do some of the things that people did in, in, in Rwanda in 1994.