



Voices from the Rwanda Tribunal

Official Transcript: Hassan Jallow (Part 5 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 5 begins on the following page.

Part 5

- 00:00 Donald J Horowitz: I am Jus-, Judge Don Horowitz from the state of Washington in the United States and I'm appreciative of your giving us your time and your th-, and your thinking.
- 00:10 You're welcome, welcome.
- 00:10 DJH: And I've heard the first part and thank you so much. Your, your observations are very apt and, and helpful.
- 00:18 You're welcome.
- 00:19 DJH: I, I am going to ask a few more, at various points, general questions but I also want to, as two lawyers together, ask a few I-, legal ones and a lot of this is, I will inquire about, that is for the purpose of, again, seeing where things can be made better in the future.
- 00:40 DJH: It's constructively approached but I will have to address some criticisms of the Prosecutor's office . . .
- 00:45 Yeah.
- 00:46 DJH: . . . which of course, you know about, some of which preceded your being here. The – I want to talk first of all about recruitment of lawyers and prosecutors. And how is that done? And what standards are there now and perhaps earlier?
- 01:07 Earlier.
- 01:08 DJH: Yeah. So take us through that if you will.
- 01:13 Well, we, th-, this is a UN institution.
- 01:16 DJH: Yes.
- 01:17 So when we recruit, we advertise internationally and applications are accepted from, from all individuals across the world. But of course we have qualifications, which have to be, to be met. We are quite rigorous now with recruitment.
- 01:38 When we advertise a post, we, we, we set out certain minimum qualific-, qualifications which are required. And we receive the applications and there are many; many come. Sometimes they run into hundreds in respect of a single position.
- 01:54 DJH: Wow. Okay.
- 01:55 And, and worldwide. Then we draw up a short list based, trying to identify the people we think are the most suitable in terms of their qualifications and experience. Then they are subjected to an oral interview – sometimes in here or sometimes it's by telephone, because it, it may be difficult to bring in everybody, fly them into Arusha for, for an inter-, oral interview.

- 02:24 If it's a very senior position, we insist on an oral interview with the candidates present here because you need to see the person also and, and, and, you know, get to know more about them. So it's, it's a very rigorous process.
- 02:38 The, the – under the statute all appointments are made by the Secretary-General of the UN. He has delegated that responsibility to the Registrar. But the Re-, the, the Secretary-General makes appointments on the recommendation of the Prosecutor.
- 02:53 So my role is to make recommendations then to the Registrar and he will then make, make the appointment. My, my pri-, primary consideration when making a recommendation is to select the best-qualified candidates academically and, and experience-wise.
- 03:09 And what we look for now are people who have had a lot of experience in working as attorneys, working as attorneys, trial attorneys and appeals attorneys, et cetera. The Regist-, for the Registrar, of course, he has an additional consideration, which is the issue of gender and geographic representation.
- 03:27 So he is the one who takes those considerations into account. When I send in the number of, recommend a number of persons, he will take that into account in, in appointing any of them.
- 03:40 DJH: This sounds like a, a nicely rig-, rigorous and thorough process. Has it always been the case since the tribunal began to have the process, or is this something that you've improved upon or, or your predecessors have improved it, improved upon ()?**
- 03:55 It's, it's improved over the years. Even before I came it has started improving. But the early years were difficult because the, the system had really not been set in place in, in the early years and so, let's say, a few, few less than qualified people did slip in through the net.
- 04:14 I mean th-, there were difficulties in organizing interviews and people got, got into, in, on the basis of their paperwork for instance and then it turns out at the end of the day that they may not be what, what you were hoping, hoping for.