



Voices from the Rwanda Tribunal

Official Transcript: M-L. Lambert (Part 3 of 8)



Role:	Associate Legal Officer
Country of Origin:	England
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Location:	Arusha, Tanzania
Interviewers:	Donald J Horowitz John McKay
Videographer:	Max Andrews
Interpreter:	None

Interview Summary

M-L. Lambert describes her personal relationship with convicted genocidaire Hassan Ngeze, who she worked closely with at the Tribunal. She speaks at length about her responsibilities researching and drafting judgments for Military 1, reflecting on the difficulties of assessing the credibility of witnesses and evidence in a post-genocide climate. She talks about the harrowing evidence presented to the court and recounts the case against Colonel Bagosora who was accused of masterminding the genocide against the Tutsis.

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Part 3

- 00:00** Donald J Horowitz: Tell us about Military One. I mean, to the extent, I'm not asking you to tell us what the judgment would be, obviously that would be a violation.
- 00:07 Yeah. Of course. Yes.
- 00:08** DJH: But you know, the, what is the case and what are the issues and . . .
- 00:11 Yeah.
- 00:12** DJH: . . . and wha-, what is the stage of the case?
- 00:14 Okay. We are reaching, we are in the final stages of writing the judgment.
- 00:21** DJH: Meaning that the, the taking of evidence has ended?
- 00:26 Yes. The taking of evidence ended in January, 2007. Our final trial date, I think, was the eighteenth of January, 2007. Then we had, you know, a brief sort of, you know, well, we allowed the parties some time to write their closing briefs. So that's where they get to summarize their arguments in written form. They were very long closing briefs. They were sort of, you know, the prosecution brief was almost 900 pages long.
- 00:53** DJH: Oh my goodness. Yeah.
- 00:54 Each defense brief was between six- and 800 pages long. And there was four of those, and they were submitted in sort of March and April of 2007.
- 01:06 In late May and early June, 2007, we heard the parties, so the chamber, the judges heard the oral arguments of the parties. And since that time, we have been in judgment writing phase.
- 01:20** DJH: 'kay.
- 01:20 So our preoccupation since June has been, you know, the actual creation and drafting of this mammoth document, which, you know, decides the outcome.
- 01:31** DJH: And tell us what the al-, allegations in the case, how many parties. You don't have to name them all, but . . .
- 01:37 Sure. The case, I think, is fairly well, well-known with people engaged in the international criminal circuit, and with Rwanda . . .
- 01:43** DJH: But, but what we're doing, what we're doing here, of course, is going for a long time to be, to many publics. Yeah. Yeah.
- 01:49 Of course. Of course, but you know, within, within what we're doing now, it's considered to be very important, and I can explain the reason why. The four accused were leading members of the military in Rwanda. Their names were Colonel Bagosora.

He was the second in command to the Ministry of Defense in, at the time of the, of the events in April.

02:14 Then we have General Kabiligi, who was a general within the Rwandan army, who was alleged to have been in charge of operations for the entire army. We have, and then we have two battalion leaders.

02:29 We have Colonel Ntabakuze, who was the head of the Para-commando Battalion, which an elite military unit based in Kigali. And then we have the general operations commander of a army command center in Gisenyi, which is an area and region of, of Rwanda.

02:51 DJH: And his job was?

02:53 He's the, he was the operations commander for that specific area.

02:56 DJH: Okay.

02:57 As well as having had various posts in sort of intelligence, as . . .

03:00 DJH: And his name was?

03:02 Colonel Nsengiyumva.

03:04 DJH: Okay.

03:05 Now subsequently, since the events in 1994, literature, film, you know, academic opinion has pointed the finger towards certain individuals for being the mastermind of what unfolded. The prosecution, Alison Des Forges, various other academics, allege that there was a conspiracy to commit the genocide, to commit the, the death of, of these 800,000 Tutsis.

03:35 And the finger, for many, would point directly at Colonel Bagosora. He was a known Hutu extremist. He is alleged to have been involved in the training and creation of the civilian militia, the Interahamwe. Those are the men with the machetes.

04:00 He is alleged, at the time of the downing of the presidential plane on the evening of the 6th of April, 1994, to, in the power vacuum that resulted, as a result, that occurred as a result of the president's death, to have convened – well first, to have orchestrated the assassination of political opponents, some moderate Hutus and Tutsi parliamentarians, including the Prime Minister, and to have then convened an interim government that was sympathetic to the Hutu Power cause.

04:41 And then from there, to have instigated the mass slaughter of these 800,000 people. Now, his name comes up frequently in the literature, in film. I believe in the film Hotel Rwanda, he's sort of seen as the, a little bit, or maybe he has a cameo as the evil architect of it all. In General Dallaire's book, Shake Hands with the Devil, he's talking about shaking hands in a meeting with General Bagosora.

- 05:13 The prosecution alleged, in some of their evidence that's presented before us in the case, that, you know, in 1993 and in early 1994, Colonel Bagosora made comments that predicted the apocalypse, to which the prosecution say that meant the extermination of the Tutsis.
- 05:35 So the case is important in that A, it's the leading military figures who are alleged to have orchestrated the violence that occurred in Rwanda, but it's the first case at the tribunal that will decide or go somewhere into deciding the extent to which there was pre-planning of the genocide. The, the way in which the military was involved and, in the w-, in that pre-planning. So that's why the case is important.