



Voices from the Rwanda Tribunal

Official Transcript: Optatus Nchimbi (Part 6 of 6)



Role:	Information Network Assistant
Country of Origin:	Tanzania
Interview Date:	21 October 2008
Location:	Arusha, Tanzania
Interviewers:	Lisa P. Nathan John McKay
Videographer:	Max Andrews
Interpreter:	None

Interview Summary

Optatus Nchimbi outlines his information management responsibilities at the ICTR. He explains the evolution of processes for archiving audio and visual materials collected and generated by the Tribunal. He comments on the importance of different levels of security and access to trial archives for Tribunal personnel that depend on role and seniority. In addition, speaking in his role as President of the ICTR Staff Association, Nchimbi describes the Association's purpose and discusses various tensions between staff and their supervisors.

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Part 6

- 00:00** **John McKay: Is management listening to you and if, if they do can you give us an example?**
- 00:04 Yeah they listen to us sometimes. Not all the – sometimes they listen to us. Because once we come in, we say, “This is not proper, it was supposed to be done in one, two, three way.” They us-, they listen to us.
- 00:14** **JM: Can you give me an example?**
- 00:22 There was an incident where they decided to advertise, to recruit people without advertising the posts. We raised our voice and that was rectified. The posts were advertised and the people were recruited according to their qualifications.
- 00:39** **JM: Do you think that examples like, incidents like that have a, have a positive or a negative impact on the employees here? Do they hear of this and how do they react?**
- 00:50 (____) some of them, some of us, they’re, they’re very coward; they don’t want to come up. So they just take things e-, easily, but differently say this one I’m going through the job, they know that, “This is the person who brought me here so I, how can I say against him?” knowing that they are underqualified. So they just want – they decide to be quiet. They don’t want to raise alarm.
- 01:11 They know that this man is doing injustice, but you cannot say, “You are doing injustice,” because you know, “This is my godfather so how can I say against him?”
- 01:22** **JM: You know some of the things we’ve been talking about could exist almost anywhere where there are many cultures and, a-, a-, and there are, is a common purpose. But here, the issues that you’re dealing with are huge issues. There, they involve the, the deaths of hundreds of thousands of people . . .**
- 01:40 Yeah, mm-hmm.
- 01:41** **JM: . . . killings by many. Can, can you tell us whether they’re, whether that enters into this discussion in any way?**
- 01:49** **JM: What I mean is people will have disputes about how they’re evaluated by their, by their managers. Issues might be advertised or not advertised and those are important. But at any time in which you sit with management, do you remind each other that, that, that what you’re working on really is the genocide of 1994 and you owe it to them to give it your best efforts? Does that ever happen in those discussions?**
- 02:13 Yeah, and normally even in all my speeches I make, I have made that very thing very clear; that what we need is to clear our house, to clear house, because we’re addressing the issue of genocide in Rwanda. Now we want to render the justice to

them. If we cannot do it here, what's the use of being here, us being here? And sometimes they end up, say I'm insulting them.

02:35 JM: But you would do it again?

02:37 Yes, that's my role. There's no way that I should, I should stop it.

02:42 JM: So a major issue that must be, must be in your mind is the impending wind down of activities . . .

02:48 Yeah.

02:48 JM: . . . here. Tell me about that and what you think your role as a leader can be, as ICTR begins to wind down, whenever that happens; wha-, what is your role going to be?

02:59 In fact we have discussed with the management that wherever the retention panel sits, there should be a representative from the Staff Association to oversee the process. And if they find out that there's something which is fishy in the process, they should report back to us, (___), "This is what happened."

03:19 We had a meeting with the management. We agreed on that. And when the-, we have been setting the criteria to be used in downsizing the staff members, we set the criteria very clear and we put them, we tell them that this criteria should be followed objectively. But now in course of time, some chief of sections reluctantly decided not to include us in the pa-, in the panel.

03:45 We (____) up that this is not fair so we're not going to consider that, le-, that exercise as fair. So even the Registrar supported us. They said, "Okay this exercise should be done again because if there is no representation from the Staff Association, there's no way that we can say it was objective and fair."

04:01 JM: What, what recourse would you have if management just ignored you in all of your, the things that you might say about the eventual shut down, what could you do if they just said, "We don't care what you think?"

04:14 Okay they are not the final decision maker. We have the higher level up. And normally if we find that things are not working properly here, we just report to the higher level of management. If Registrar cannot address the issues of importance to the staff, and is reluctant in addressing them, we just forward to his supervisor in New York that this is what we have been following up with the, with, with the, our ma-, our manager, management here and this is what they've said, and this is the position.

04:42 This is what we think it should be.

04:45 JM: Will they listen to you at the higher levels of management?

- 04:48 They listen to us. That's why I said, I was talking about the issue of rebuttal cases. The management here sometimes says, "Okay. This person because he was not performing has to go." But now if you go in deep into the analyzing the case, you find that the process was not, was not followed. We agree with the management that the person was not performing but the act of terminating his contract was not properly followed.
- 05:08 So the process should be redone and we have the best team from New York, they've been investigating a lot of cases here based on that.
- 05:17 JM: One of the questions I meant to ask you at the beginning was how many, what percentage of employees here participate in the Association? Of the eligible employees.**
- 05:26 It's 65%.
- 05:28 JM: 65%. So 65% pay dues and belong?**
- 05:30 Yeah.
- 05:33 JM: Is there anything else, you know, either in your role as the President of the Association or in your role in, in the information network system in which you work, is there anything else that you want to tell us, that you want to tell history about your work here?**
- 05:50 In fact, in fact it's to the, to the people of the Rwanda, the people of Rwanda, in fact the Rwandan government, should know that the process of restoration of peace and harmony in Rwanda is not an easy course. Is, is not an easy task. So what we need from them is cooperation.
- 06:16 At one point in time, when there was a plan to indict the president, the, the current president of Rwanda, Kagame, because with those people who've been testifying, some mentioned his name that he was involved in the, in the genocide in Rwanda.
- 06:36 So there's an alarm to him that he's supposed to be brought here for justice. So what he did, he just decided to cut, I mean to cut the cooperation between us and them by stopping the witnesses to come to testify before the court.
- 06:52 JM: Is it a widespread view in your opinion among employees here that the government of Rwanda has not been cooperative?**
- 06:59 Yeah. It was even in, in, in papers, everywhere.
- 07:02 JM: But is that what employees here think?**
- 07:04 Yeah, even, it was the same feeling because there was no cooperation. So the United Nations has to play a big role to go and beg the government of Rwanda to start cooperating with us; because in fact we are, we, the (___), I mean from other blocks were not there in Rwanda. So those who can tell us, us exactly what happened is the

people in Rwanda. So if they are not cooperative, means the, I mean ICTR being here is useless.

07:29 We cannot do anything without, without them to come and tell us exactly what happened in their country.

07:33 JM: You, and you, you believe that what you just said about the government and the people of Rwanda is a widely held view here in, among employees in the ICTR?

07:44 Yes, because it was in papers everywhere. Because even the impact was seen by, by most of our staff members, that this – in fact there's, there's no witnesses in the courts. Why? Because there is no cooperation from, from Rwandan government.

07:59 JM: What would you think if I told you that many people in Rwanda resent the ICTR, because it's in Arusha and not in, not in, not in Rwanda. Wha-, what if, what if I told you the Rwandan people don't respect the ICTR?

08:15 Yeah, but there was a reason why ICT-, why, why the tribunal was, was chosen to be in Arusha, because it was found to be a neutral country. If you read the resolution which has stated the I-, the ICTR to be in Arusha, they say you cannot put in Kenya because there is also a conflict in Kenya. In Uganda there was a war in Uganda, the internal conflicts, so it was not even proper to put it there.

08:41 Burundi, there was – even now Burundi is not a peaceful country. There is a continuous war. So in the, in the, this Great Lakes zone, Great Lakes zone, it was Tanzania was found to be suitable to house those, the, the, the tribunal.

08:58 JM: Okay, is there anything else that I haven't asked you that you, you would feel was important for you to say?

09:04 Not really. (____).

09:06 JM: Can I just thank you then for taking the time to . . .

09:09 Yeah, thank you . . . thank you.

09:10 JM: . . . to be with us? We're very grateful, we know you're very busy and thank you very much for coming.

09:14 I appreciate that. Thank you.

09:15 JM: Okay. Thank you very much.

09:16 Thank you so much, yes.

09:17 JM: Okay. Absolutely.