



# Voices from the Rwanda Tribunal

## Official Transcript: Alex Obote Odora (Part 8 of 9)



<b>Role:</b>	Chief of Appeals
<b>Country of Origin:</b>	Uganda
<b>Interview Date:</b>	22 October 2008
<b>Location:</b>	Arusha, Tanzania
<b>Interviewers:</b>	Lisa P. Nathan John McKay
<b>Videographer:</b>	Nell Carden Grey
<b>Interpreter:</b>	None

### Interview Summary

Alex Obote Odora speaks about the responsibilities of African states in creating peace and stability in the Great Lakes region and across Africa. He talks about the importance of education in upholding human rights and the necessity for justice capacity building. Odora also offers his opinion on the quality of defense counsel, the implications of maintaining the highest international standards, and the need to delink criminal prosecutions from the broader goals of reconciliation.

*The transcript of Part 8 begins on the following page.*

## Part 8

- 00:00** John McKay: I want to ask you a question now about what this experience has meant to you personally. You've been, you are a distinguished lawyer. You have been a teacher. You have argued before the highest tribunals of many countries of the world.
- 00:17** JM: What has it, what has it meant to you to be here doing this work on this subject, the subject of this incredible thing that happened in 1994? Can you tell us what it means to you as a lawyer and as a person, and has it changed you?
- 00:37** Let me start – as a lawyer, I now see more clearly the limitations of the law. There are certain things that law cannot address. I also see the style of drafting legislation. If we want people to understand the law and not limit it to lawyers only, I think the drafting style should change.
- 01:12** It should be simple. It should be clear and I also believe that law should be taught in schools just like we teach geography, history or any languages. You don't have to wait until you reach college or university to start learning law. Law is a social science. It should be used to address these social problems on a daily basis.
- 01:41** As a result, we have to demystify the law. As of now, very few people understand the law. I've seen in the courtroom when we are arguing our cases, the victims or witnesses sit there. They don't follow the argument. We can spend one whole afternoon trying to draw some fine legal distinction that doesn't make sense to the, to, to, to the witnesses.
- 02:14** When you begin to argue as to whether or not an indictment is defective, and therefore you have not cured an indictment. And then they say that, "Okay, the killing of these 200 people in this particular camp, we know it happened. We know the evidence are there, but the pleading was so poor that the accused was not properly informed so he could not prepare his defense."
- 02:42** On a common sense situation, one would have said, "Okay, now the accused has been informed. Should we adjourn for three months, for six months? Let him go and prepare himself. Let him come and address the killing of these 200 people." But the law doesn't do that, so you see these different aspects of limitations.
- 03:06** JM: Let, let me ask you, I don't want to interrupt you but I want, I – you, you prepared indictments when you first came here.
- 03:11** Yes.
- 03:12** JM: And so you saw the worst evidence of the most horrible crimes. It must have affected you as a person, as someone who has a family who, who, who grew up in, in East Africa. Tell us, tell us how that has affected you as a person.

- 03:30 Yeah, this is the second aspect I was going to, to, to tell you, because you see, when I first went to Rwanda, one of our colleagues was renting a house. Unfortunately, one time when they were clearing the place, they actually found some re-, remains of dead bodies in the, in the bedroom, okay?
- 04:05 What I did, I stayed in the hotel, unti-. There was a building called Prima 2-, Prima 2000. Probably you were there. You, you, you saw it when you went to Kigali, okay? When it was finished, I said, "Okay, I want an apartment here. It should be on the third, fourth or fifth floor. So that should be as far away from the ground as possible." Because you don't know what is down there.
- 04:33 Another thing is this – when you go into a restaurant and somebody is serving you, you don't know whether this guy is an Interahamwe, you don't know whether he is a victim. You don't know whether he is what. He's just there, okay?
- 04:47 So, you go in, in the office. You look at the evidence. If we take the figure, the figure that, the lower figure that 800,000 people were killed in Rwanda and at each roadblock you find that these people were beaten, were clubbed. So you've reached a situation where about three, four, to five people who were involved in killing one person.
- 05:17 If you multiply that by 800,000, you are somewhere between 20 to, to 30% of the population of Rwanda that was involved in the genocide. You are therefore dealing with a criminal population. How do you relate with this?
- 05:39 And then you've got people who also work there. So, you have got to mentally separate yourself from the human relationship and the work you do because if you carry your work in your head and you go into a social gathering, you may not even shake anybody's hand – because you reach the conclusion that everybody you're talking to probably killed somebody, or aided and abetted in some form of way.
- 06:06 And then you also begin to wonder, "How did they survive with all these killings? Did they survive because they were part of the killers?" Because if you were a victim, probably you wouldn't have survived. And then some of them, when you look after the genocide, they, they look so young. So, how much younger were they when the crimes were taken place? So, how young were the perpetrators?