



Voices from the Rwanda Tribunal

Official Transcript: Arlette Ramaroson (Part 4 of 6)



Role:	Judge
Country of Origin:	Madagascar
Interview Date:	31 October 2008
Location:	Arusha, Tanzania
Interviewers:	Donald J Horowitz
Videographer:	Nell Carden Grey
Interpreter:	Name unknown

Interview Summary

Arlette Ramaroson reflects on her controversial dissenting opinion in the case of Juvénal Kajelijeli, in which Kajelijeli was acquitted for crimes against humanity. In her dissent, Ramaroson explains how she drew on the civil law principle of 'intime conviction.' She compares this principle with its common law counterpart of 'beyond reasonable doubt.' In addition, Ramaroson speaks about the need to retain judicial impartiality, even in the context of the events of genocide.

The transcript of Part 4 begins on the following page.

Part 4

- 00:00 **Donald J Horowitz: Would, do you have any views on whether it would have been better for the court to be closer to the Rwandan people, either physically or by greater communication? For, for your judgments for example, if you found somebody guilty and they are sentenced, and the communication and also the, the visibility of justice – do you have any views on whether it would have been better in your opinion, your personal opinion or your judicial opinion, to have the ca-, the court closer to the Rwandan people?**
- 00:41 Oui, bien sûr, mais on a surtout pensé aux conditions de sécurité. On a pensé que la Tanzanie est un pays en paix, vous savez. Il y a encore des gens qui, qui ont peut-être, qui ont peut-être des sentiments de, de, de génocide ou je ne sais pas, ils pourraient peut-être tuer. Alors je pense qu'on a choisi Arusha parce que c'est un, une, c'est une contrée calme et, et où il y a, où la sécurité est assurée.
- 01:14 D'ailleurs au début, il y avait une grande sécurité autour des juges, mais maintenant, tout au long des six années, on s'est aperçu que, on peut, on s'est aperçu qu'il y a moins de, peut être moins de danger et la sécurité s'est un, s'est un peu relâchée, s'est un peu plutôt, pas relâchée mais est moindre, mais cela ne veut pas dire qu'on est vraiment, on est vraiment, on est encore bien surveillés.
- 01:44 *Interpreter: Yes, of course, but especially they had to look at the security conditions. Tanzania is a country, which is experiencing peace. Because one never knows – maybe in that country, there are still people who have feelings of, you know, committing genocide or killing.*
- 02:11 *Interpreter: Arusha was chosen because Arusha is a place which is calm and which is known for its security. Initially the security details and arrangements surrounding judges were quite stiff and tough. But over time, within the past six years, it has been noticed that there were really no risks of any danger which the judges could face. So judges' security has not really slackened as such, but the strong security presence has been sort of watered down. But it should not give anyone the impression that the judges are not well protected – quite the contrary.*