

## Official Transcript: Dennis Byron (Part 6 of 10)



<b>Role:</b>	President and Judge
<b>Country of Origin:</b>	St. Kitts & Nevis
<b>Interview Date:</b>	28 October 2008, 5 November 2008
<b>Location:</b>	Arusha, Tanzania
<b>Interviewer:</b>	Robert Utter
<b>Videographer:</b>	Max Andrews
<b>Interpreter:</b>	None

### Interview Summary

Dennis Byron expresses satisfaction at the approach to reconciliation taken by the UN in Rwanda. He highlights the responsibility of Tribunal judges to ensure that justice is conducted fairly and impartially, and appears as such in both process and result. He notes that, in addition to delivering justice, the Tribunal also creates a factual record of events that occurred. He expresses frustration with the Tribunal for the unsatisfactory length of trials, inefficiencies in administration and infrastructure, and the extradition process of suspects.

*The transcript of Part 6 begins on the following page.*

## Part 6

- 00:00** Robert Utter: As Chief Judge, you have a wide variety of responsibilities but before we get into that, let me talk briefly about one of my favorite subjects. And this is judicial education, which I understand is, is one of yours as well.
- 00:13 Ah . . . yes.
- 00:17** RU: This is an inspirational program and it's so similar to programs I've seen all over the world, not only in the United States, and in the Balkans and Southeast Asia where I've taught, but particularly in the program we did for the Iraqi judges. And almost point-by-point we went over the same things, the origins of law, judicial administration, continuing education by the countries. Tell me how you became interested in this.
- 00:47 Well, as you know, this is a, thi-, this is really something a little bit different from my work at the tribunal.
- 00:55** RU: Yes.
- 00:55 Although there is a, a, a link, an important linkage. I think it was as long ago as 1995 or 1996, when I attended the Commonwealth Judicial Education Institutes in study, intensive study program for judicial educators . . .
- 01:21** RU: Yes.
- 01:22 . . . in Halifax. We – the Institute is housed at Dalhousie University in Halifax. It's, it's a Commonwealth institution but located in Halifax, partly because the founding judge, Judge Sandra Oxner, that's her hometown and she had it located there.
- 01:43 What the institute does is, it reaches out to the entire Commonwealth, assisting in developing national judicial education programs, developing national judicial education institutes or, or bodies for training and helping to develop and share best practices in, in judicial training. I'm currently the President, President of that Institute.
- 02:26** RU: Congratulations.
- 02:27 And we have a, a bi-annual conference of judicial, Commonwealth judicial educators. So (\_\_\_\_) . . .
- 02:44** Note: Gap in Interview (Approx. 1 minute in duration.) Gaps occurred due to interruptions during the interviews, technical issues, or corrupted data files.
- 02:50** RU: We're trying to establish a record for the tribunal that people can look through in the future. We have no idea what form that will take but these interviews are surely a part of that. But to a large extent we depend on what people find in writing and perhaps from these video interviews – is there something that falls outside of that that you would like to speak to the future about the tribunal and your observations and hopes?

- 03:21 Well, again, I, I don't have a prepared thought on the subject. I am, in my position right now, I am, I have to be aware that the United Nations has taken a decision that the tribunal, as such, is ad hoc and must have an end.
- 03:52 And we're under the mandate of the Security Council Resolution, which had put that date at the 31st of December, 2008, but has recently extended it for one year. That's f-, for trial cases with a, a subsequent period for the completion of appeals.
- 04:16 So the tribunal itself is going to end. But as you know, the courts were never designed to end and there are residual functions, which would require some judicial supervision even after the, the closure of the tribunal as such.
- 04:37 And so one of the challenges that we are addressing at the moment is developing what we call the residual mechanisms, which will continue to address the, these issues after the closure of the tribunal.
- 04:56 Well, in terms of my own vision, in fact, if that was what you're dreaming, aiming at, I, I would, would, would think that it's, it would be useful for the, for international criminal justice to become a, a, a routine part of the, of the modern world, because that will assist in guaranteeing the application of the rule of law to human rights activities worldwide. And it will also assist in guaranteeing the adherence to principles of international humanitarian law.
- 05:47 So, with or without the continuation of this tribunal, the principles which the tribunal has stood for, the, the body of jurisprudence it has built up – I hope it will be part of the foundation stones of an international criminal, criminal system.
- 06:16 RU: Thank you, sir.**