



Voices from the Rwanda Tribunal

Official Transcript: M-L. Lambert (Part 4 of 8)



Role:	Associate Legal Officer
Country of Origin:	England
Interview Date:	23 October 2008
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 4

- 00:01** Donald J Horowitz: A few more questions . . .
- 00:02 Sure.
- 00:02** DJH: . . . on, on Military One. How long, I know you weren't there the whole time, but . . .
- 00:07 Yeah.
- 00:08** DJH: . . . you, you probably know, how, how many, how much time did it take to get all the evidence in, in a case of this size?
- 00:16 Oh goodness me. I mean it's, it's rather remarkable, but the case started in September, 2002 and ended, it's last trial day was in February, I'm sorry, January, 2007. So that's, you know, five years or so.
- 00:32** DJH: And in court days . . .
- 00:34 Mm.
- 00:35** DJH: . . . I think I heard Judge Møse say something in excess of 400.
- 00:39 It's around 400 court days.
- 00:40** DJH: Yes.
- 00:41 That's right.
- 00:41** DJH: Okay. And have, have th-, the same judges sat in the case from beginning to end, or has there been a change of judges?
- 00:51 Now, this is where my memory is slightly blurred. I should know the answer. At the very beginning of the trial proceedings in, in the four accused cases we know it, it was before cha-, Trial Chamber Three. So before three different judges.
- 01:07** DJH: 'kay.
- 01:08 I think that, you know, in 2003, I think in March 2003, those proceedings were, were halted, and the chamber changed to the judges that we have now. And th- . . .
- 01:18** DJH: Same three judges since then?
- 01:20 It's, and it's been the same three judges since then. So I think that our judges now, the ones that are working on the case and will be writing the judgment and signing the judgment, have heard everything but two witnesses. Yeah. Yeah.
- 01:36** DJH: Okay. And in terms of those, and I take it those were previous witnesses?
- 01:39 Yes. Yes.

- 01:41 DJH: Okay. And in terms of those, have they had access to the t-, to the, all of the testimony of those two previous witnesses?**
- 01:49 The testimony is recorded in two ways. First of all, we have official court transcripts, which, which exactly review the proceedings. They're, they're, you know, conducted in real time. And so those transcripts are available for the judges to read.
- 02:04 DJH: Oh what, oh, so they are written transcripts, or court reporter . . .**
- 02:07 Exactly, court reporter transcripts. Exactly. Exactly.
- 02:08 DJH: Court reporters with machines, and they take them down and so forth. Okay.**
- 02:11 And then we've also, from the very beginning, or the very inception of the trial, also had documented video footage of the trial proceedings. So in the event of the judges wanted, wanting to access the video footage of those, of, of those two witnesses, of the ones they missed, then they have the availability of using the, the video footage.
- 02:30 DJH: Okay. And are they complete or edited? In other words, are, is it complete video of those witnesses?**
- 02:36 I think, they're complete video of the, of the proceedings, and they're unedited, as far as I'm aware. Yeah.
- 02:40 DJH: Okay. Okay. So they can see facial expressions, et cetera?**
- 02:43 Exactly. (___), demean, demeanor of the witnesses, fairly important . . .
- 02:46 DJH: Yes. Exactly, what I had in mind.**
- 02:47 Exactly right.
- 02:48 DJH: Okay. Alright. I don't want to intrude any further.**
- 02:55 Yeah.
- 02:55 DJH: Is there anything else you feel comfortable telling us about Military One, other than that it's hard work?**
- 03:01 It's extraordinary hard work. I think there's two things that I find most interesting about the judgment drafting work. The first is that as a legal assistant or associate legal officer, we're required to assist with the review of evidence. It's my first legal position and you know, when you're helping or assessing the credibility of a witness, it's very difficult to do in the context of a genocidal environment.
- 03:33 We're often taught to look for abnormalities, but when you're hearing witnesses that are either convicted génocidaires or are talking about atrocities that they viewed or saw, or how they lost their loved ones, it's already an extraordinary, abnormal vi-, environment to be en-, trying to engage with. And, and, and to be reviewing. So the evidence itself, I think, for me, has been very hard to navigate, to assess, at times.

- 04:06 And to cope with. That's the first thing. The second thing is the length of these trials. And I think, you know, Military One is a prime example of, of how these proceedings can be (___) drawn up. You know, our accused, one of them, was, you know, convicted and arrested in 1996, so he's been in pre-judgment detention now for twelve years.
- 04:33 That's an awfully long time to be waiting without knowing whether you're convicted or not. So every day that we work our judgment, that is also at the back of the mind, the fact that they've been in, you know, pre-judgment detention for this long. There's a certain element of pressure that therefore comes with that job. So it comes from both sides.
- 04:53 The, the, the content of what you're reading, which is harrowing at best. And, and the fact that the accused have been detained for so long, as well.